

**STATEMENT OF
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BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES SENATE
ON
"IS TRANSITION ON TRACK?"**

DECEMBER 15, 2015

Good afternoon Chairman Isakson, Ranking Member Blumenthal and distinguished members of the Committee. On behalf of our National Commander, Dale Barnett, and the over 2 million members of The American Legion, we thank you for the opportunity to testify before this Committee regarding the Transition Assistance Program (TAP) and The American Legion's experience and interests.

Leaving the military environment and transitioning back into the civilian sector is a task that many service members find to be an unfamiliar battle. Fortunately, The American Legion was instrumental in the creation process of TAP, a program created with the intention to ease the transition for our nations veterans. The American Legion had the opportunity on several occasions and in numerous locations to observe both the 5-day mandatory portion along with the optional specialized courses known as Goals, Plans and Success or (GPS).

In addition, The American Legion has begun hosting bi-annual hiring events and employment workshops near various military installations in the hopes that we can be the nexus between the private sector employers and transitioning service members. The American Legion also finds that many separating military members desire to still continue their government service, and obtain a position working for the U.S. government. Because of those desires, The American Legion has also implemented a Federal Resume Workshop, something TAP should highly consider as well.

What we present today, is a culmination of our observations over the last three years.

Positives of the Program:

Overall Impressions

The American Legion believes that the new TAP represents an important step toward providing transitioning service members with the information they need to become gainfully employed. While there exist some shortcomings that require attention, the program overall appears to be heading in the correct direction for the betterment of the veterans.

The amount of worthy information being put out was impressive and the delivery was excellent. It was evident the contractors from both DOL and VA really understood the material, which is a solid benefit to the service member. The student interaction was massively improved from what we've previously observed in the pilot phases of TAP. Most of this is likely due to the smaller class sizes -- the attendees were far more interactive because of the intimate setting.

TAP GPS

The American Legion would like to thank the members of this Committee who voted in favor of passing the 2015 National Defense Authorization Act (NDAA). The NDAA included a critical measure making TAP GPS mandatory. Prior to this new measure, our service members were required to attend a five day block of instruction prior to separating from their respective branch of service and if they personally desired to attend the additional Goals, Plans and Success (GPS) courses, they first needed to seek approval from their leadership. The NDAA made it "mandatorily available" for the service member; making it a requirement for leadership to allow the requesting individual to attend the training. This is a recommendation The American Legion frequently sought in testimony, so we appreciate congress recognizing the importance these capstone courses play in the Service member's transition.

Recommended Improvements:

Office Interpersonal Skills

It is no secret that employers seek the perfect blend of skills and experiences that pertain to their industry. There is also no argument that a veteran meeting the qualifications for a job vacancy brings an ample amount of skills and experiences to the table that a civilian may not possess. However, on many occasions, being a functional expert is not enough, and making it past the initial filter of human resource staff remains a difficult task. To complement their core-competencies, there are certain basic relationship skills that every company looks for in a potential hire. These skills include personal qualities, habits, attitudes, and social graces that can make a person a valued employee.

Before the Veterans Opportunity to Work (VOW) Act of 2011 companies in the private sector were included in the instruction process of TAP; meaning they were invited to come speak and instruct the transitioning service members. In the modern day TAP, that is sadly not the case. The American Legion certainly believes having the private sector present and assist in conveying what it takes to be successful in their realm is vital for the veterans.

The vast majority of the junior enlisted personnel leaving the service after their first or second enlistments have not had the same educational training or significant working experience in the private sector as their civilian peers. They can sometimes lack the soft skills that are most commonly learned by spending a substantial part of their adult lives in the civilian workforce.

So, in discussing the “seamless transition” TAP would be more effective if:

- 1) TAP was accompanied by a program allowing the veteran to gradually assimilate to the civilian office environment, or
- 2) TAP added a module to bring in the private sector to discuss the office culture.

While TAP briefings focus on the transferring of military skills and experiences into core-competencies in the private sector, we believe more importance should be placed on soft skills. The American Legion cannot stress how crucial it is that more time and instruction be provided to the service member on this matter.

Interagency Cooperation

The American Legion recognizes that one of TAP’s main roles is to be an introduction to the services and programs available to veterans, and to provide a “warm handoff” to the agencies that administer those programs. We feel that the TAP class does provide the appropriate material, and from the Veterans that we have spoken with, they expressed that they are happy with the knowledge that is gained after the 5 days of curriculum. The main issue that we feel that needs to be addressed in regards to transitioning is what happens after the TAP course.

Under the current operating procedures, DOD does not share the contact information of the Veteran with the Department of Labor (DOL). If DOL had access to the service members contact information the Disabled Veteran Outreach Program representatives (DVOPs) and Local Veteran Employment Representatives (LVERs) could initiate a conversation post-separation to ensure the Veteran is adequately employed or is aware of the services available to them. DOL would also be able to guide the Veteran to their local American Job center to ensure continuity of services provided.

Improving Transition in General

Transition does not end when a service member exits the classroom. As previously stated, TAP’s effectiveness is intimately intertwined with the performance of Title 38 veterans employment services.

The American Legion has become aware of an issue affecting veteran employment services that are funded by the Jobs for Veterans State Grants (JVSG) and administered through the Department of Labor’s (DOL) Veterans Employment and Training Service (VETS). Three years ago, DOL issued a directive creating a hard distinction between the Disabled Veteran Outreach Program representatives (DVOPs) and the (LVERs), which are funded by the JVSG grants, and are located at DOL job centers across the country. Essentially, this disallows DVOPs from seeing non-service disabled veterans, *even if they have extra time in which they could do so*. The DOL’s restrictive regulation undermines the flexibility that is needed to best serve veterans who are in need of employment services.

In one instance, a blind veteran was escorted out of an American Job Center after he became upset that he no longer qualified to meet with the DVOP he had been working with; all because

under the new DOL directive, his disability was not service-connected. The American Legion believes a disabled veteran has significant barriers to employment regardless of whether the disability was resultant from service. The categories imposed by the JVSG restructuring of veterans eligible to seek DVOP services, are too restrictive. Some DVOPs have noted to The American Legion that in the aftermath of this misguided JVSG restructuring, the majority of veterans now receive a ‘priority of greeting’ by employment services staff but not the ‘priority of service’ mandated by law.

The American Legion has organized meetings and roundtable discussions with the majority of the stakeholders. There is a consensus in the veteran community that this regulation is problematic, and should be changed. Requiring this regulatory change by DOL would, in the opinion of The American Legion, provide a significant improvement to one of the major transition services available to veterans: the JVSG program.

Looking forward in regards to TAP, The American Legion would very much like to see a new GAO report conducted on the program as a whole. The last GAO report was conducted in 2014 when many new elements of TAP was still in the process of being implemented, ergo the report would not have assessed the effectiveness of the program in its entirety. In addition to requesting a new GAO report be conducted, which simply makes sense, the American legion firmly believes there should be a metric for success. Meaning the Dept. of Labor, much like any company, university or parent, needs to create a method or rubric to ensure that TAP is working and successful after the service member has taken the course. As it stands now, at the end of the 5 day course, the attendee is encouraged to take a survey reviewing their time in the program. DOL needs to connect with a percentage of veterans at several timeframes or thresholds post-TAP to assess the effectiveness of the TAP program. We strongly feel that between a new GAO report and the implementation of a success metric, then DOL will be able to obtain a genuine knowledge of how effective TAP truly is.

The Future of JVSG and HVRP

The American Legion has recently changed its position regarding the rightful place for JVSG and HVRP within the federal government. The American Legion “support[s] legislation that calls for the Department of Veterans Affairs (VA) and the state workforce agencies to share responsibilities for all Title 38 veterans employment services” and “that VA be fully funded to administer the Jobs for Veterans State Grants (JVSG), establish standards and collect performance data, and the state workforce agencies administer the programs and report directly to VA.”¹

Historically, The American Legion has supported DOL-VETS and its place in DOL, because we believe that when it comes to employment no one has more expertise and experience. For our efforts, we were rewarded with decades of program management problems, a lack of accountability, a lack of programmatic oversight.

¹ [Resolution No. 13: Expanding Veterans Employment and Homeless Services Within the Department of Veterans Affairs OCT 2014](#)

Within the last few years, VA has designated significant resources on veterans employment resources that is generally the responsibility of DOL. The American Legion has noticed VA gaining market shares in the realm of veterans employment services and demonstrating a record of success. The American Legion believes that the best way to ensure TAP lives up to its potential, is to transfer the JVSG and HVRP to a new administration within VA. These grants administered by VETS would improve if they were consolidated within the agency whose singular focus is on the well-being of veterans.

Chairman Isakson, Ranking Member Blumenthal and distinguished members of the Committee, again we thank you for the opportunity to speak before you today, I thank my counterparts on this panel for their efforts in hiring our nations veterans, and I would be happy to answer any questions you may have.

The American Legion thanks this committee for their diligence and commitment to examining this critical issue facing our servicemembers and veterans as they transition to civilian life and the civilian workforce. Questions concerning this testimony can be directed to Matthew Shuman, Assistant Director in The American Legion Legislative Division (202) 861-2700 mshuman@legion.org