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***STATEMENT OF
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UNITED STATES HOUSE OF REPRESENTATIVES
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Chairman Wenstrup, Ranking Member Takano and Members of the Subcommittee:

Thank you for inviting DAV (Disabled American Veterans) to testify at this legislative hearing, and to present our views on the bills under consideration. As you know, DAV is a non-profit veterans service organization comprised of 1.2 million wartime service-disabled veterans that is dedicated to a single purpose: empowering veterans to lead high-quality lives with respect and dignity.

H.R. 356, the Wounded Warrior Employment Improvement Act

This bill would require the Secretary of the Department of Veterans Affairs (VA) to perform an analysis and make recommendations in a report to Congress to encourage certain veterans to use the benefits of chapter 31, title 38, United States Code, Vocational Rehabilitation and Employment (VR&E) services by chapter 33-eligible veterans. The bill would require an action plan designed to improve the services and assistance provided under chapter 31. The required report would include a plan to remedy certain workload management challenges at VA regional offices (VARO), including reducing counselor caseloads for veterans participating in rehabilitation, particularly counselors assisting veterans with traumatic brain injury and post-traumatic stress disorder, and counselors with dual educational and vocational counseling workloads.

The bill also would require VA to perform an analysis to assess the percentage of veterans with service-connected disabilities who served on or after September 11, 2001 who choose not to participate in a rehabilitation program under chapter 31 but instead use their entitlement to educational assistance under chapter 33. The analysis required by this bill would examine barriers to timely enrollment in rehabilitation programs under chapter 31 and any additional barriers to a veteran's enrollment.

The bill would require VA to report within 270 days of the date of its enactment, and to develop and publish the action plan to improve the services and assistance provided.

DAV has no resolution from our membership on the particular issue within this bill. While we would not oppose passage, we have identified some concerns that we recommend be addressed prior to passage of this bill.

DAV recognizes the intrinsic value of chapter 31 service for wounded, ill and injured veterans. However, encouraging those veterans with eligibility under chapter 33 to instead use chapter 31 authority will require additional resources in VR&E to meet the increase in demand.

Today, VR&E's counselor-to-client ratio is far too high, at 1:135. This ratio has been disproportionate for quite some time and contributes to the delays in the administration of timely and effective services. However, the average ratio can be misleading. For example, the Cleveland VARO's counselor-to-client ratio is 1:206, but in the Fargo VARO it is 1:64.

Ideally, an effective counselor-to-client ratio would be 1:125, as has been advocated by the *Independent Budget* for the past several years. In order to achieve the 1:125 counselor-to-client ratio in FY 2016, VR&E would require an additional 382 full-time employee equivalents (FTEE), of whom 277 would be dedicated as VR&E counselors and the remaining 105 employees would be in support services, bringing VR&E's total FTEE strength to 1,824. While increased staffing levels are required to provide efficient and timely services, it would also be essential that these increases be properly distributed throughout VR&E to ensure that counselors' caseloads are equitably balanced among VAROs.

DAV calls on Congress to increase staffing levels within VA's VR&E program in accordance with our National Resolution No. 052, approved by our membership at our most recent National Convention. As contemplated by this bill, if Congress intends to encourage increased use of chapter 31 services, versus services afforded under chapter 33, then adequate resources would be essential to strengthen this critical program to meet the increased demands inherent in servicing more eligible service-disabled veterans.

**H.R. 832, the Veterans Employment and Training Service Longitudinal Study
Act of 2015**

This bill would amend title 38, United States Code, chapter 41, to direct the Department of Labor (DOL) to enter into a contract with a non-governmental entity to conduct a longitudinal study of job counseling, training, and placement services for veterans provided by DOL.

The study would be required to obtain specific information for each participant. The information collected would capture the average number of months served on active duty; disability ratings; unemployment benefits received; the average number of months employed and average individual and household annual income; employment status; whether the individual believes that any services received helped the individual to become employed; use of educational assistance; participation in a vocational rehabilitation program; conditions of discharge or release from the armed forces and demographic information.

Under the bill DOL would be required to submit an annual report to Congress not later than July 1 of each year during the authorized study period.

DAV has no resolution from our membership on this particular issue, but would not oppose passage of this legislation.

H.R. 1994, the VA Accountability Act of 2015

This bill would provide VA the authority to remove or demote employees based on performance or misconduct.

DAV has no resolution from our membership on this topic and DAV takes no position on this bill.

H.R. 2133, the Servicemembers' Choice in Transition Act

Enactment of this bill would provide additional training options under the Transition Assistance Program to members of the armed forces separating from active duty.

Under this bill, the Secretary of Defense and the Secretary of Homeland Security would be required to provide additional training opportunities to separating service members, including preparation for higher education or training, for career or technical training, for entrepreneurship, and for other training options as determined by the respective Secretaries. The Secretary of Defense and the Secretary of Homeland Security would be required to ensure that a member of the armed forces who elects to receive the additional training proposed in this bill would be afforded the opportunity to obtain it.

DAV supports this bill in accordance with DAV Resolution No.053, adopted at our most recent national convention.

H.R. 2275, the Jobs for Veterans Act of 2015

This bill would establish in VA a new Veterans Economic Opportunity and Transition Administration. Establishment of the new administration would improve employment and educational opportunities for veterans by consolidating various VA programs now managed by the Veterans Benefits Administration, and also would transfer veteran-focused programs from DOL to VA.

Mr. Chairman, DAV previously offered testimony before this Subcommittee on February 12, 2015, regarding this very issue and encouraged Congress to introduce and enact this proposal. We are pleased to support this bill consistent with DAV Resolution No. 227, adopted by our membership at our most recent National Convention.

H.R. 2275 would create a fourth administration within VA. Under the bill, certain DOL programs would be transferred to VA not later than October 1, 2016. All personnel, assets, and liabilities pertaining to these programs would be transferred by that date.

This transfer to the VA would include administration of all functions and programs now performed by the DOL under title 38, United States Code. On enactment, VA would administer the homeless veterans' reintegration programs under chapter 20, employment and employment rights of members of the uniformed services under chapter 43, employment and training of

veterans under chapter 42, and job counseling, training, and placement services for veterans under chapter 41. The bill would establish a new Under Secretary position and two Deputy Under Secretaries with various responsibilities.

The creation of a new VA administration that would manage all these programs is a logical, responsible step for Congress to take through this legislative mandate. Plus, important to DAV, we believe consolidation offers the potential to streamline and enhance the prospects and training possibilities for wounded, injured and ill wartime veterans, for them to overcome employment obstacles, and open up opportunity for them in their post-service lives. It could also both reduce current costs while revealing the availability of new or alternative services and programs to those receiving employment and educational assistance in a unified program.

Ensuring that our nation's wounded, injured and ill wartime veterans and their families receive opportunities for meaningful and gainful economic and employment is a central concern of our organization; in the wake of war, DAV believes that we reflect the concerns of the entire nation. Veterans who truly sacrifice themselves in war need a hand up, not a handout. Reforming this important function of government that leads them to rewarding private employment would provide them that hand.

DAV welcomes the opportunity to work with the Subcommittee to see this justified reform enacted into law, and DAV thanks the sponsor for introducing this bill.

H.R. 2344, Veterans Vocational Rehabilitation and Employment Improvement Act of 2015

H.R. 2344 would make improvements to VA's VR&E Program. The bill contains four sections that would make changes affecting the approval of courses pursued under chapter 31; eligibility for Specially Adapted Housing (SAH); would provide new authority for VA to prioritize VR&E services for program participants; and, would authorize \$10 million for related information technology (IT) enhancements.

Section 2 stipulates to the maximum extent practicable that a course of education or training may be pursued by a veteran as part of a rehabilitation program only if the course is also approved under chapter 30 or 33 of this title, but would provide VA a waiver authority when warranted. This restriction would apply to a course of education or training pursued by a veteran who first begins a program of rehabilitation on or after the date that is one year after the date of enactment.

DAV has no resolution from our membership on this particular issue proposed by section 2 of H.R. 2344, and therefore takes no position.

DAV recommends the Subcommittee consider adding a report to captures information regarding disapproval of courses when they fail to meet the approval requirements of chapter 30 and 33, the number of waivers received seeking to approve courses, and the disposition of any waiver requests.

Section 3 of the bill would extend SAH benefits to certain veterans enrolled in chapter 31 rehabilitation, and would bar the use of dual SAH benefits from other authorities. This section would affect the aggregate amount of assistance (now generally capped at \$63,780). The bill would authorize VA to waive the limitations in individual cases when warranted.

This section would require VA to submit a biennial report to Congress on the use of the waiver authority described above.

DAV has no resolution from our membership on this particular issue proposed within section 3, but would not oppose passage of this section.

Section 4 of this bill would provide the Secretary with new authority to prioritize Chapter 31 services for program participants using criteria specified in the bill. VA would be required to submit a plan to Congress outlining proposed changes in processing Chapter 31 services not later than 90 days before making such changes.

DAV has no resolution from our membership on this particular topic, but would not oppose passage of this section of the bill. We would recommend that VA's reporting responsibility include information to categorize need-based prioritizations. It should document veterans determined to have the greatest need compared to those in lesser need, and specify the processing timelines for each group.

Section 5 would require VA's payments for and on behalf of veterans participating in a rehabilitation program be processed and paid from one corporate VA IT system, rather than making payments through multiple systems.

DAV has no resolution from our membership on this particular issue, but would not oppose passage of this section.

H.R. 2360, the Career-Ready Student Veterans Act

This bill would ensure that VA education benefits are paid for duly recognized educational and employment programs and courses.

VA and state approving agencies are authorized to approve applications of institutions providing veterans non-accredited courses. Approval is authorized when institutions and their non-accredited curricula are found to meet criteria specified in subsection (c) of section 3676 of title 38, United States Code.

This bill would add two new standards for such approvals. First, approval could be afforded in cases of programs designed to prepare individuals for licensure or certification in a State when programs meet any instructional curriculum, licensure or certification requirements of such State. Second, approval could be given in cases of certain programs within a State when they are designed to prepare individuals for employment. The bill would also provide the Secretary with waiver authority when warranted.

DAV has no resolution from our membership on this particular issue, but would not oppose passage of this bill.

H.R. 2361, the Work-Study for Student Veterans Act

This bill would extend for seven years the existing authority of VA to provide work-study allowances for certain activities by individuals receiving educational assistance.

DAV has no resolution from our membership on this particular issue, but would not oppose passage of this bill.

Draft Bill, to amend title 38, United States Code, to make certain modifications and improvements in the transfer of unused educational assistance benefits under the Post 9/11 Educational Assistance Program of the VA

This bill would modify eligibility requirements to transfer chapter 33 educational benefits from members of the military to their eligible dependents.

Under the bill, as a condition to transfer unused educational benefits to family members, a service member would be required to complete ten years of service, rather than six and would have to agree to perform two more years, rather than four, bringing the total active service commitment to 12 years of active service.

The bill would also amend the rates of stipend payments made to eligible spouses and children. The monthly rate would be limited to an amount equal to 50 percent of the stipend that would have otherwise been payable to the service member.

DAV has no resolution from our membership on this topic; thus, DAV takes no position on this bill.

Mr. Chairman, this concludes my testimony. DAV appreciates your request for this statement. I would be pleased to answer any questions from you or members of the Subcommittee dealing with this testimony.