LEGISLATIVE HEARING ON H.R. 2942; H.R. 3056; H.R. 3614; H.R. 4031; H.R. 4037; H.R. 4038; H.R. 4147; H.R. 4150; AND H.R. 4151

HEARING

BEFORE THE

SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

OF THE

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Tuesday, March 25, 2014

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 3:17 p.m., in Room 340, Cannon House Office Building, Hon. Bill Flores [chairman of the subcommittee] presiding.

Present: Representatives Flores, Cook, and Takano.

Also present: Representatives Miller, Bilirakis, and Reichert.

OPENING STATEMENT OF CHAIRMAN BILL FLORES

Mr. FLORES. Good day, everyone. The subcommittee will come to order. Before we begin I would like to ask unanimous consent that our colleagues Chairman Miller, Mr. Gus Bilirakis, and Mr. David Reichert be allowed to sit at the dais, make opening statements, and ask questions. Hearing no objections, so ordered.

I want to thank all of you for joining us here today to discuss legislation pending before the subcommittee concerning education benefits and employment programs for our returning servicemembers and veterans.

This afternoon we have nine important pieces of legislation before us. I will focus my remarks on two of these bills which I introduced earlier this year. The first is H.R. 4037, the Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014. This bill would streamline VA's vocational rehabilitation and employment, known as the VR&E program. This program helps disabled veterans become employment ready and also assists the most severely disabled veterans reach a point of maximum independent daily living. As I have said multiple times, I believe this program is one of the greatest resources our VA has to help our veterans with disabilities overcome many challenges they encounter when trying to find employment. However, I believe improvements need to be made to ensure that our most disabled veterans do not get lost in the shuffle while enduring long wait times to see a counselor.

My bill would authorize the Secretary to prioritize VR&E services based on need so that they are able to triage cases as they come in based upon the severity of the veteran's disability or on other factors as determined by the Secretary. It would also require

that any education or training courses a veteran pursues through the VR&E be approved for G.I. Bill benefits and would allow for home adaptations that are currently being completed for VR&E participants to be completed under specially adapted housing rules to ensure that our veterans are receiving high quality adaptations to their homes. The bill would also redefine eligibility for voc rehab for veterans with a ten percent disability. This provision would further streamline this benefit and help severely disabled veterans get the benefits and services they are qualified to receive in an expedited fashion.

My second bill is H.R. 4038, the Veterans Benefits Administration Information Technology Improvement Act of 2014. This bill would require the VA to improve and finish the IT systems that adjudicates G.I. Bill and VR&E claims. At this day and age veterans should not have to endure long delays in receiving their earned education and VR&E benefits due to a lacking and/or outdated IT system. Through this legislation VA would be able to adjudicate to the maximum extent possible all G.I. Bill claims in a paperless environment and would be able to accurately track services and outcomes provided by the VR&E program to veterans.

Through multiple GAO reports and hearings during this Congress the subcommittee has been shown the need to improve these systems. I know the ranking member also has a bill on this as well and I look forward to working with him to combine our two pieces of legislation to ensure these IT programs are improved to better serve America's veterans. I believe that both of these bills are critical to VA's successes and will allow the VA to more efficiently and thoroughly assist our veterans as they work toward a successful life following their service.

With that being said, I am eager to discuss each of the nine pieces of legislation before us today and I am grateful to my colleagues who have introduced these bills, and to our witnesses for being here to discuss them with us. I look forward to a productive and meaningful discussion.

I will now yield to my colleague Ranking Member Takano for any opening statement he may have.

OPENING STATEMENT OF MARK TAKANO, RANKING MEMBER

Mr. TAKANO. Thank you, Chairman Flores. Good afternoon. I would like to thank everyone for joining us and to thank the witnesses for taking time to testify and answer our questions.

We do have a number of bills before us today which seek to reauthorize the VA Advisory Committee on Credentialing; prioritize VR&E services; help veterans obtain their license or credentialing through legislation; require a longitudinal study; and create a survey for users of the G.I. Bill. I support my colleagues' bills that aim to improve the lives of our veterans and of the nine pieces of legislation I have sponsored two bills which seek to help our veterans attending college.

My first bill, H.R. 3056, the Warriors' Peer-Outreach Pilot Program Act, would direct the Secretary of Veterans Affairs to carry out a three-year pilot program on the provision of outreach and support services to veterans pursuing higher education. I see this program as supplementing VetSuccess On Campus, which uses

credentialed and experienced vocational rehabilitation counselors to provide services to student veterans. The Warriors' Peer-Outreach Program will provide peer to peer services by employing veterans who have used the G.I. Bill. The VA will train veterans to assist individuals who may have a difficulty in adjusting or may need services or support that the institution is not equipped to provide.

Again, this pilot program is designed to explore a new approach to on campus services for veterans and to act as a supplement to other federal programs with similar goals. I believe it has the potential to help many veterans across the country and I hope all our stakeholders will support it.

Today we will also be discussing H.R. 4147, the Student Veterans IT Upgrade Act, which would require the VA to report on the current status of the long term solution for education claims processing, provide an action plan to improve it, and outline the anticipated cost of upgrading the system. I find it unfortunate that the VA has not completed this system and want to know when and how they plan to do so. Complete automation would provide the VA a more powerful system that is more responsive to the needs of our veterans. I may add that I look forward to working with Chairman Flores on combining our bills, I believe they are complementary, with regard to the Student Veterans IT Upgrade Act.

Thank you, Mr. Chairman, for scheduling this hearing to review these bills. I look forward to the testimony and suggestions from our panelists. Thank you, Mr. Chairman, I yield back.

Mr. FLORES. Thank you, Mr. Takano. Chairman Miller of the full committee will be joining us to discuss his bill, H.R. 4031, the Department of Veterans Affairs Management Accountability Act of 2014. We will yield to Chairman Miller when he arrives.

In the meantime it is an honor to be joined by my friends and colleagues to discuss their bills. I thank each of you for being here. Mr. Cook is not here yet. We will have him speak as soon as he gets here. Ms. Kirkpatrick is not here but she submitted a statement for the record. Hearing no objection, we will enter hers into the record.

Mr. FLORES. Mr. Bilirakis, you are now recognized.

Mr. BILIRAKIS. Thank you, Mr. Chairman. I appreciate it and thanks for allowing me to sit in on the panel today. Again, I want to thank you for holding this legislative hearing. And I appreciate the opportunity to speak on my bill, H.R. 4151, the G.I. Bill Survey Act.

Members of the committee understand the many challenges our veterans have in transitioning into civilian life after service to our great nation. America has always been the land of opportunity and it is our responsibility that our veterans are equipped with the necessary resources to pursue that happiness. The brave men and women in our military services have answered the call to protect the liberties we are entitled to. Likewise we must answer the call for our veterans, I am sure you all agree. Through the G.I. Bill veterans can use these benefits to cover tuition, housing, books, and supplies, testing, and certification fees, and other education related expenditures.

Since the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 over one million of our nation's veterans have

participated in this program. By fiscal year 2011 the Post-9/11 G.I. Bill had the largest number of participants and highest total of obligations when compared to previous G.I. Bills since 1984. The VA provided nearly $10 billion for that fiscal year in education benefits for veterans and beneficiaries with the majority of these benefits applied to the Post-9/11 G.I. Bill program. One of the biggest problems we continue to encounter when discussing the G.I. Bill is the lack of data available regarding its participants. This goes beyond simply performance and outcome measures but it also includes basic demographic information.

In May of 2013 the Government Accountability Office, the GAO, conducted a study on the challenges student veterans pursuing higher education and the obstacles regarding VA's management on the program that also affects veterans' academic success. The GAO reported the following, and I quote, "it is unclear the extent to which veterans are achieving successful academic outcomes and VA lacks a plan for using student outcomes data from its new data collection efforts to improve its education programs." And I quote again, "current data on student veterans are outdated or incomplete."

The GAO recommended the VA to create a plan to use new data on student outcomes to improve program management. The VA agreed with the recommendations and noted a number of actions it was taking to address these issues. Although that is progress this committee has not received any information regarding their efforts or progress on this initiative. Without objection from the chairman, I would like to submit the summary of the GAO report for the record.

Mr. FLORES. Without objection, so ordered.

Mr. BILIRAKIS. Thank you. To safeguard this important resource and to ensure our nation's veterans that their success into civilian life is a top priority of ours, I have introduced H.R. 4151, the G.I. Bill Survey Act. This comprehensive study would encompass several elements to better understand the effectiveness of the Transition Assistance Program, known as TAP, and what improvements can be made to VA education benefits.

The first step in making the positive changes to a program is to fully understand its benefits and drawbacks. H.R. 4151 would require the Secretary of VA to contract with a third party entity to conduct a survey of G.I. Bill users. The survey would be a comprehensive study of veterans' experiences when using their education benefits. The survey would prove beneficial to both the VA and Congress by providing a better understanding of a veteran's experience from the processing end of VA to their experiences with the school certifying official and how their education benefits and this program have benefitted them.

I appreciate the support for H.R. 4151 by the American Legion, the VFW, and the Student Veterans of America who came to testify before this committee, as well as the support from the Association of Private Sector Colleges, Wounded Warrior Program, and then also the VetsFirst. They all submitted their testimonies for the record.

I encourage my colleagues on this committee to support this bipartisan piece of legislation. I hope we can come together to keep

our promise to our veterans and ensure that the men and women who dedicated their lives to serving our nation have the viable resources to successfully transition into civilian life. Thank you very much, Mr. Chairman. And I yield back the balance of the time.

Mr. FLORES. Thank you, Mr. Bilirakis. Mr. Reichert, you are recognized for five minutes.

Mr. REICHERT. Thank you, Mr. Chairman. And thank you, Ranking Member Takano and other members of the subcommittee, thanks for having me here today at this legislative hearing. And I appreciate the opportunity to speak about the Military Skills to Careers Act, which is H.R. 3614.

I introduced this legislation to help our veterans transition their military skills and expertise into long term civilian jobs. And it sounds like from listening to the description of other bills, these are all really going to fold nicely and neatly together. And that is, hey, it is happening here in Congress so that is shocking, right? Also there is Senate support for this bill so that is exciting, too. The Senate and the House of Representatives working together, and I understand veterans issues bring people together and that is a good thing.

Some examples of the jobs included in this act, some of the skills that some of our military folks will learn that are compatible with this act are inclusive of electricians, truck drivers, healthcare professionals, IT workers. I have a nephew who just got out of the Marines and he is a, will soon be getting out of the Marines, and he is a diesel mechanic. So those professions, all taught, all performed within the military, are really applied to our public life. And we have got to make it easier for our veterans to transition into those jobs. So by making licensing and credentials in those chosen fields more accessible we can do this. This legislation would open opportunities to those veterans struggling to find employment.

Additionally I want to mention that Senator Richard Burr, as I kind of alluded to, ranking member of the Senate Veterans' Affairs Committee has been an outstanding partner in this effort and I am pleased to have his leadership on this legislation in the Senate.

When our veterans return from active service the last thing they should have to fear is unemployment. After all, they sacrificed to keep us safe. We have responsibility to ensure their security when they return. And a big part of that is being able to find a job and provide for themselves and their families. I am sure you all know families that are wondering, what am I going to do? What is my family going to do? How are we going to feed our kids? Where are we going to live? How are we going to pay for this? Those are worries we need to remove. We have to remove those. It is up to us to be their champions.

According to figures released last week by the United States Bureau of Labor Statistic the unemployment rate for veterans who served on active duty since 9/11 was nine percent in 2013. Although this represented a decline from 2012, newly separated veterans are still entering the toughest civilian labor market in a generation.

In my own State of Washington we have 675,000 veterans, Mr. Chairman, and the largest military base on the West Coast. Some people do not realize that, right in Washington State, the large

military base on the West Coast in the Seattle-Takoma area. And over the next few years the Joint Base Lewis-McChord is set to discharge 6,000 troops per year, 6,000 per year just out of one base looking for work. I want those troops to know that we have a bright future waiting for them. That we are working for them and they do not have to worry.

All too often recently separated veterans are facing hurdles transitioning their military skills to civilian employment, or identifying occupations in which they are interested that lead to long term employment and security. As our servicemembers and their family reintegrate back into communities we have the opportunity and the duty to guarantee the success for our greatest generation. As a part of this most important mission I introduced the Military Skills Act as a step to ensuring we are helping to secure bright futures for our men and women.

I often hear from members of the business community in Washington State seeking highly qualified candidates with expertise compatible with skills gained in the military. Our challenge in Congress is to find ways to help veterans seeking employment. One way that this can be done is through reforms to the state license and certification process for veterans. Generally private sector businesses are looking for specific licenses and certifications to determine the most qualified candidate to fill the job position. Even though a veteran may have the qualifications and skills necessary for the job they are too often turned away because they lack the documentation. To address this many states including Washington have led through example by passing laws allowing veterans to obtain licenses or certifications in their training from the military so that they meet state standards. This helps streamline the application process, eliminates the need for veterans to go through redundant and sometimes costly training. In turn businesses are able to hire veterans who have the necessary credentials to proficiently get the job done. This legislation, Mr. Chairman, simply all it does is say let the veterans take a test. If they pass the test, they get a job. I should have just said that instead. I yield back my time, Mr. Chairman.

Mr. FLORES. Thank you, Mr. Reichert. Mr. Cook, you are recognized for five minutes.

Mr. COOK. Thank you very much, Mr. Chair. H.R. 4150, the Veterans Employment and Training Service Longitudinal Study Act, there is a mouthful, ensures that veterans are receiving effective and successful employment training services. This bipartisan bill authorizes an independent organization to collect, analyze data on the effectiveness of the Department of Labor's Veterans Employment and Training Service.

The study will focus on veterans who have received intensive services from two programs under VETS, excuse me that acronym I just referred to, the Disabled Veterans Outreach Program and the local veterans employment representatives, LVER. The study will track the employment status of veterans who receive these services, determine if the program contributed to their employment, monitor the employment retention rate, and determine if the services provided helped them increase their average earnings. A report

on the findings will be presented to the Committee on Veterans Affairs in the House and Senate every year for the next five years.

Congress has a duty to provide our veterans with the best employment services possible. Simply authorizing these program is not enough. We have to follow up and ensure that they are working as intended. An analysis of long term outcomes is precisely the type of oversight Congress needs to determine the effectiveness of these programs and to ensure their success.

I think today you are hearing a lot of similar programs, as my distinguished colleague had mentioned earlier. It is all about follow up. If it is not working, we have got to change. To bottom line is the success rate should be much higher. I am a veteran and I am very, very passionate about people that have served. That is one of the things that we have as an ingredient of military service. When you go out on a patrol in a combat situation, you want to follow up that everybody has got enough water, that you have protection, that you have the codes, the radio frequencies. If you called in a preposition bombardment, mortars, what have you, that you have it. That is your job. And with such a poor record in getting these people into the right position, I think it is incumbent upon us in keeping with the philosophy and taking care of our troops that we find out how we can make it better, if we have got to make changes, and the appropriate funding hopefully will follow that out.

I want to thank Congresswoman Titus for the support on this important bill. And once again, the follow up and the feedback when we get on this can hopefully help us achieve better results and take care of our men and women. Thank you very much. I yield back.

Mr. FLORES. Thank you, Mr. Cook. And again, as a reminder to everyone, when Chairman Mill arrives we will allow him to speak to support his legislation.

I now want to recognize our first panel of witnesses today. Joining us is Mr. Curtis Coy, the Deputy Under Secretary for Economic Opportunity at the Department of Veterans Affairs. We also have with us the Hon. Keith Kelly, Assistant Secretary of the Veterans' Employment and Training Service at the Department of Labor who is accompanied by Ms. Demetra Nightingale, if I messed that name up, I am sorry, the Chief Evaluation Office of the Department of Labor. I thank all of you for being with us today and for your service during your time on active duty with our armed forces. Before I recognize Mr. Coy, I would like to point out again the Department of Labor was again late with its testimony. We would ask you to exercise appropriate diligence in providing that on time in the future. So Mr. Coy, let us begin with you. You are recognized for five minutes.

STATEMENT OF CURTIS COY

Mr. COY. Good afternoon, Mr. Chairman, Ranking Member Takano, who just left. Thank you for the opportunity to be here today to provide VA's views on seven pending legislative bills affecting VA's programs. Other bills under discussion today would affect programs or laws administered by the Department of Labor and respectfully we defer to DOL on those bills.

We are encouraged seeing so many legislative proposals aimed at improving the Education and Vocational Rehabilitation and Employment Program for our nation's veterans. VA supports H.R. 2942 that reestablishes the VA's Professional Certification and Licensure Advisory Committee. This legislation would allow VA to receive recommendations and receive advice from the committee with regard to licensing and certification programs.

While VA appreciates the intent of 3056, which would establish a three-year pilot program to provide outreach services to veterans using the Post-9/11 G.I. Bill, VA does not believe this legislation is necessary as it would create a program similar to our existing VetSuccess on Campus Program.

H.R. 4031, the Department of Veterans Affairs Management Accountability Act of 2014 would enable the Secretary of Veterans Affairs to remove any individual from the senior executive service if the Secretary determines the performance of the individual warrants such removal. VA is committed to continuing our dialogue with the committee about effective accountability throughout VA but believe the Secretary has the tools under current law and regulations to address performance.

VA appreciates the committee's focus to improve aspects of the Vocational, Rehabilitation and Employment Program through H.R. 4037. VA is unable to support the provisions of the bill but agrees with the intent to redefine the employment rehabilitation rate and note our own internal efforts to improve our performance measure calculations. We are also working to establish whether policies needed to further restrict the approval of courses approved for Chapter 30 or 33. We would request clarification on Section 4 of this bill which would expand the eligibility for specially adapted housing grants to Chapter 31 veterans but agree that modifications to adapt veterans' homes are best managed by SAH personnel with expertise and experience. While we are unable to support Section 6, which redefines serious employment handicap, we are happy to work with the committee on drafting technical language to ensure qualified veterans receive necessary services.

VA is unable to support H.R. 4038, which makes IT improvements to reduce redundancy and process educational and vocational rehabilitation and employment claims more efficiently. VA recognizes the committee's efforts to improve our IT processes but notes that with competing resources affecting all veterans served at VA, we need the flexibility to prioritize resources based on the needs of the entire department.

VA requests clarification on the "system" being referenced in H.R. 4147, which requires the Chief Information Officer and the Deputy Under Secretary for Economic Opportunity to develop an annual report detailing VA's plan for the system used to administer VA educational benefits. We would be happy to provide information to the committee on the areas of interest once clarified.

Finally, VA supports the intent behind H.R. 4151 which would require VA to administer a survey to individuals who have used VA education benefits. We are currently administering a similar survey with the assistance of a private contractor and will investigate the feasibility of combining the requirements of H.R. 4151 with VA's current resources.

Mr. Chairman, this concludes my oral statement. Thank you for the opportunity to appear before you today. I would certainly be pleased to respond to any questions you or the other members of the subcommittee may have regarding our views as presented today.

[THE PREPARED STATEMENT OF CURTIS COY APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Coy. Chairman Miller, we have reserved five minutes for you for your bill, or such time as you may need.

Mr. MILLER. Thank you very much, Mr. Chairman. I ask unanimous consent that I can revise and extend my remarks.

Mr. FLORES. Without objection, so ordered.

Mr. MILLER. Thank you very much. And thank you for letting me speak out of order. And I am not going to use my entire time, nor use the entire statement that I have prepared. But I want to emphasize that H.R. 4031 in no way is meant to disparage the SES employees that are out there, the hardworking employees. It is really meant to help them. Every day well over 300,000 employees at the VA go to work to do the right thing and I think most of the members here would agree with that. But more than a dozen examples of a very shocking trend have actually now arisen and we have listed them on our House Web site at *veterans.house.gov/accountability*. In fact, if you look at the recent VA preventable deaths that have been linked to mismanagement in Pittsburgh, Atlanta, Columbia, South Carolina, Augusta, Georgia, and Memphis, Tennessee, the VA executives who presided over the negligence are more likely to have received a bonus or a glowing performance review than any type of punishment. And I think it is past time to end this complacency.

Now some have said that this bill would erode employee rights. To them I asked, why should government executives who are paid extremely well to serve the veterans of this country have the right to fail in their jobs with little threat of serious punishment? Not a single member of Congress would allow their staff to do the same. And those seeking VA healthcare, should they not have the right to know that VA executives who preside over mismanagement and negligence will be punished swiftly and accordingly?

There are those who will say VA already has the necessary tools to properly discipline and fire failing executives. And I ask, if that is the case why have we not seen evidence in support of that particular argument? The reality is to those who closely follow that we see something very differently. And in instance after instance where mismanagement has led to veterans suffering, department officials have repeatedly pointed to non-disciplinary actions such as employee retirements, transfers, or bureaucratic slaps on the wrist such as a temporary written warning in a disingenuous attempt to create the experience of accountability.

It is common knowledge within VA and throughout the government that it is easier to transfer a failing executive or leave them unchecked than it is to fire them. And I do not think that is what the citizens of this country want to do.

So I would ask all members to consider the primary mission of our committee. We are here to support veterans and everything else should take second place. Mr. Chairman, thanks for your time. And I yield back.

[THE PREPARED STATEMENT OF JEFF MILLER APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Chairman Miller. Mr. Kelly, you are now recognized for five minutes.

STATEMENT OF KEITH KELLY

Mr. KELLY. Good afternoon, Chairman Flores, Ranking Member Takano, and distinguished members of the subcommittee. Thank you for the opportunity to participate in today's hearing. As most of you know, my name is Keith Kelly and I am the Assistant Secretary for Veterans Employment and Training at the Department of Labor. Today I am accompanied by the department's Chief Evaluation Officer Demetra Nightingale. I will use my time here to highlight some of the department's views on DOL-related legislation.

The first bill I would like to discuss is H.R. 3614, as we have already heard from one of your colleagues, the Military Skills to Careers Act. This bill would require each state to administer an exam and issue a credential or license to a veteran without requiring any veteran should that veteran meet the certain criteria. H.R. 3614 would require the State to establish this program as a condition of receiving funding to employ disabled veteran outreach program specialists and local veteran employment representatives, more commonly referred to as DVOPS and LVERs. The department supports the intent of the legislation. However, we do have serious concerns about withholding DOL funding from states if they do not comply because it is those very DVOPS and LVERs that provide the critical intensive employment service to veterans, the transitioning servicemembers, and their families. This legislation would jeopardize these services and penalize the very people this bill is aimed at helping.

What is more, DOL is concerned that the administrative burdens on the states in complying with this legislation would be very significant. The reality is that some states have hundreds of different credentials and licenses that are issued by dozens of different state agencies and this bill would apply to them all. In fact, the majority of states have already adopted legislation aimed at streamlining credentialing and licensing for veterans.

There are a variety of legislation and regulatory approaches that have proven successful in different states and DOL is already working with the Department of Defense and the states to assist them in these efforts. For instance, we are working on a pilot program to analyze and compare transferrable skills. In addition the department is providing technical support to certain states to award credit for military training and experience.

Now to the second piece of legislation that we have also have heard about from one of your colleagues. I would like to discuss H.R. 3150, the Veterans Employment and Training Service Longitudinal Study Act. H.R. 4150 would give the Secretary of Labor ac-

cess to the National Directory of New Hires Information. At this time DOL does not have authority to readily access these earnings data from state unemployment agencies and as a result of that we strongly support this provision. Without such authority the process of obtaining earnings data is time consuming, costly, and burdensome. Moreover, the bill directs the Secretary to conduct a study of veterans and the long term impact of DOL services. We estimate the cost to successfully complete this longitudinal study will be about $10 million over five years.

Ultimately the department welcomes the opportunity to better understand the current impact of the services we provide for veterans so that we may continue to further enhance our programs and therefore improving veterans' quality of life. We are ready to ensure that the legislation and the resulting study are well crafted. Thus we do look forward to working with the committee on clarifying the goals and objectives of that survey.

The Department of Labor sincerely appreciates the support of the committee and we strive to provide higher quality, better targeted services to our nation's veterans. Chairman Flores, Ranking Member Takano, and members of the subcommittee, this concludes my statement. Thank you again for the opportunity to testify today. I would be pleased to answer any questions.

[THE PREPARED STATEMENT OF KEITH KELLY APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Kelly. I will now recognize myself for five minutes for questions. Mr. Coy, let us begin with you. You heard Chairman Miller's opening comments a few minutes ago. Would you agree that there have been an alarming number of instances where the VA's SES employees have acted improperly?

Mr. COY. As a 14-year senior executive in the government, I have heard of some of those stories but I am not familiar with the individual ones. So it would be irresponsible for me to comment on any one of those individuals. Most of those were, from what I understand, on the VHA side of VA.

Mr. FLORES. Can you tell us if any of VA's SES employees have been fired or disciplined over the past year because of problems like this?

Mr. COY. What I do know, Mr. Chairman, is that the Secretary has, to use your term, fired or removed 6 SESs in the past two years. Three of them were senior executives in their first year or probation, and three were senior executives that were career senior executives outside of the probationary one-year period.

Mr. FLORES. Okay. We have heard that mentioned in earlier hearings. Can you, actually during a February 26th Subcommittee on Health hearing Dr. Benishek asked Under Secretary for Health Dr. Petzel to provide a list of everything VA has done to hold employees accountable in response to the preventable veteran deaths in Pittsburgh, Augusta, Columbia, Memphis, and Atlanta. And Dr. Petzel at that hearing, I saw this myself, said that he would provide that by the end of the week. It has been almost a month since that information was requested. So do you have, can you tell me when the VA will provide that information to Dr. Benishek's Health Subcommittee?

Mr. COY. Mr. Chairman, I am not familiar with specifics on what is holding up that information. But I will most certainly take that for the record and take that on.

Mr. FLORES. Okay. We would appreciate that. There are also reports that the IG has laid out for us that there is evidence that the VA was complicit in multiple preventable deaths in those same locations and that managers in those locations still received bonuses. Can you tell us how that would, how that situation would occur?

Mr. COY. Again, Mr. Chairman, I am not familiar with those very specific cases. I will take that for the record and ensure that you get a response back.

Mr. FLORES. Okay. Thank you. It is also, one of the things that the subcommittee noted, and I think is one of the things that frustrates Chairman Miller. I am not putting words in his mouth, but it frustrates him, it frustrates me, and that is that all but one of VA's SES employees in fiscal year 2012 received high performance ratings. And it just seems like, you know, here we are. We have had these preventable deaths. We have got a backlog that, while it is coming down is still unacceptably high, and only one person get something less than a high rating. That just does not seem like the way the real world would treat these types of issues. So do you find that a little strange? That all but one SES employee wound up with a superior rating?

Mr. COY. Well Mr. Chairman, as I stated earlier, I have been a senior executive for 14 years. So I have hired and managed many, many senior executives. Before that I spent about seven years as a managing associate at PricewaterhouseCoopers, where I was on the annual board of evaluation. And for 24 years before that as a naval officer. I would suggest that while I am not familiar with the exact cases that you are referring to, one of the things that separates the Senior Executive Service from other entities is the bar for admission is incredibly high. That process to become a senior executive is outlined in very stringent requirements by the Office of Personnel Management.

One of the things that I take very, very seriously is I try and hire the very, very best. I think I have done that in the time I have been at VA and in my 14 years as a senior executive. I would also suggest that one of my key responsibilities as a senior executive, as a leader in VA, and as a key manager, is to ensure that those people, those SESs that work for me, performance is not only acceptable but above acceptable. And it is my responsibility to ensure if I see them veering off course five or ten degrees to bring them back to the straight and narrow. I think I have been very successful in doing that and I think many, many senior executives at VA also would reflect that.

Mr. FLORES. Thank you, Mr. Coy. We will, obviously we are going to continue the debate on this particular question. We do look forward to your responses to the questions that we propounded to Dr. Petzel.

Mr. COY. Yes, sir.

Mr. FLORES. Mr. Takano, you are recognized for five minutes.

Mr. TAKANO. Mr. Coy, you write that VetSuccess on Campus, VSOC, and the pilot program in the Warriors' Peer-Outreach Pilot Program Act are similar. How are the programs similar when the

VSOC personnel have more experience and the participants in the pilot program will not be equally experienced or trained?

Mr. COY. Thank you, Mr. Takano. There are some unique differences from your legislation and the VetSuccess on Campus program. One of the things for the VetSuccess on Campus program is over the past number of years we have grown that program from about eight pilot sites to now 94 sites with 71 different counselors. One of the things that we have established in the last couple of years is a mentoring program and we are doing that on two fronts. Actually, we are doing it on three fronts. The one front is leveraging work study students which are veterans at each of those campuses to engage fellow veterans that help them in that process. We are also working with VHA's programs in what we call our PAVE program, which is VHA's Peer Advisors for Veteran Education, to provide also a model to enable VR&E to do that.

We are also establishing a pilot program that we are hiring 16 AmeriCorps volunteers. Those AmeriCorps volunteers are 6 veterans, five spouses of veterans, one civilian, and then two pending hires that we think will be veterans as well. So we think between those three programs, the AmeriCorps program, and our AmeriCorps volunteers that we are hiring are going to help us be the boots on the ground at those VSOC sites such that they will be engaging with those veterans on campus and we hope to have those veterans be expanded such that they are recent college graduates similar to your piece of legislation.

I would also suggest that the work study program students, those are students who have been in school. They have been through the, sort of the initial piece of their freshman year, early years, and they have seen what you need to do to get through those things. So we have those work study students as well. And then finally we also are developing the PAVE program in conjunction with our VHA partners and their behavioral health and psychologists.

Mr. TAKANO. Well along those lines, since VSOC is currently found at 94 campuses, do you think that the Warriors Peer-Outreach Pilot Program Act can be a supplement that could quickly extend to a great number of campuses?

Mr. COY. I think it could very well be. And if enacted we could leverage that program and take pieces of that program and also use it across the other 94 campuses as well.

Mr. TAKANO. And similarly the Warriors' Peer-Outreach Pilot Program is currently limited to three campuses. Would the VA be more inclined to support it if it included more campuses instead of just three?

Mr. COY. Congressman Takano, I would suggest that we would take all the help we can certainly get and we would love to do all the schools we can get. One of the interesting things is as I look at the number of schools that have for example over 1,000 beneficiaries, or 1,000 folks going to school using G.I. Bill, that number is 135 right now today. It could change tomorrow to 136 or 134. But it is right around there. And that accounts for less than two percent of all the G.I. Bill campuses. So any efforts that we could expand the program, whether it be by three or by 50, we would certainly love to do that. My concern would be, however, that re-

sources would come with that. In other words, we take our current VSOC program and we hire, we take an experienced VR counselor and put them on campus full-time. And we think that is incredibly valuable. And then we backfill that individual with an entry level VR counselor. We did the AmeriCorps program at VSOC sites because we thought it was critical that we had that VA person, that experienced counselor, to sort of see that program though.

Mr. TAKANO. Thank you. Mr. Chairman, my time is expired.

Mr. FLORES. Ranking Member, if it is okay with you I would like to go ahead and have a quick second round?

Mr. TAKANO. Sure.

Mr. FLORES. If that is okay. Secretary Kelly, I did not want you to leave unquestioned so we will have a second round. You had a recommendation for H.R. 3614 that DOL should provide only the states technical assistance instead of requiring that the states submit all licensing and credentialing exams to DOL. Can you expand on that recommendation?

Mr. KELLY. Thank you. Yes, I would be happy to. First I would like just to share with the committee because this is as of last week, the Bureau of Labor Statistics Annual Report on Veterans Employment that just came out last week, there is significant improvement with regard to veterans unemployment dropping over this last year from 2012. And actually in fact both for the most recent Gulf War era veterans, it has been almost a ten percent drop. And just to share that improvement is being made. And I want to thank the committee, the administration, and all of us that are implementing the programs and the changes you have made. Some things are working and they are working in the correct direction.

Mr. FLORES. May I interrupt you for a minute? Do you have that by age cohort?

Mr. KELLY. Yes, I do.

Mr. FLORES. Particularly 18 to 29.

Mr. KELLY. What is used in there the Gulf War II era veterans which takes it all the way back, I think, from September 12th forward. And I think that takes it all the way up 35. I do have the data. I will definitely get it specifically to you by the age cohort.

Mr. FLORES. Okay.

Mr. KELLY. But that one has made almost the largest gain in the drop of unemployment almost to ten percent, from 9.9 down to nine percent.

Mr. FLORES. Okay.

Mr. KELLY. With regard to your specific question, you know, that we do have concerns about this. We do, let me reiterate, appreciate the intention of the bill. And the concerns we have, we are first and foremost opposed to withholding the state funding to hire the DVOPS and the LVERs. Our result is we see this would penalize the very people that this legislation is aimed at helping, and hopefully even help drive down those unemployment numbers. The DVOPS and LVERs are the individuals at the state level that do provide the critical employment services.

There is a second part with the concern with this bill and it is too broad as it is currently written in that all licenses and credentials issued by a state would be included in that. And I do have numbers on some of the states on the hundreds of licenses and cre-

dentials that are offered out there by various state agencies, it is almost overwhelming sometimes.

And finally many states are already working to streamline the licensing process for veterans and transitioning services. Every year a legislature meets more are getting on board to do that. So it is for those reasons that we have concerns with the bill as it is written.

Mr. FLORES. Okay. Thank you, Secretary Kelly. Mr. Coy, one last question for you. In your written testimony on Section 5 of H.R. 4037 you stated that the VA has the authority that it needs to prioritize voc rehab services. So if you already have this authority, the two-part question is A, how does VA prioritize those? B, what is the filter that they use for the prioritization?

Mr. COY. We currently are going through a change in two or three or four things. Prior to this review we used to prioritize those veterans who were Post-9/11 veterans would get, if you will, head of the line privileges. We are now looking across the board with respect to how we would set up a priority system similar to VHA's priority one, two, three, four, and laying those things out. As you know, most recently our new Direction of Vocational Rehabilitation and Employment, Jack Kammerer testified in front of this committee, I believe. And one of his responsibilities he has been tasked with by me is to sit down and establish a program to do just that. But we do believe that we have the current authority to be able to do that. The devil is in the details, most certainly. We need to figure out, you know, this balance of fair versus priority. And who gets head of the line privileges, but making sure that nobody gets the back of the line privileges. And so striking that balance is going to be a challenge.

Mr. FLORES. Okay. Thank you, Mr. Coy. Mr. Takano, I recognize you for five minutes for a second round.

Mr. TAKANO. Thank you, Mr. Chairman. Mr. Coy, with regard to H.R. 4031, what is the Secretary's general feeling about this attempt to give him enhanced flexibility with regard to the SES?

Mr. COY. Thank you, Congressman Takano. That is a great question. I believe the Secretary's views on this are pretty clear that he believes that he has the authority to do that. I have met very few individuals in my career, and that has been a long one, that does not have any, or that has the moral integrity and the honor that Secretary Shinseki does. He takes SES performance incredibly seriously. I have been in his office where he has ensured that everyone under his responsibility is clear on what the goals and strategic intent of his office and where the VA is headed. I would suggest that Secretary Shinseki's views on this are such that he has the authorities to do those things and he has in fact done that. He has removed people. He has reduced people's pay. He has reassigned people. He has suspended people. He has done all of those actions specifically in the last two years I know.

Mr. TAKANO. So would he view the intent of this legislation for H.R. 4031 as a helpful additional tool? Or is he saying that he has enough authority as it is to provide the discipline and order for the SES?

Mr. COY. I believe that the view of the Department of Veterans Affairs is that the Secretary currently has the tools available to

him or her to do, to ensure that senior executives within the Department of Veterans Affairs are held accountable and he has in fact used that tool on several occasions.

Mr. TAKANO. Is there any thought that providing this flexibility for the Department of Veterans Affairs could be used as an example for enhanced flexibility in other departments of the federal government?

Mr. COY. That is, if you will, an opinion question on my part. And my opinion? This is Curt Coy's opinion. I would suggest that it could have a detrimental effect on recruiting and attracting candidates to the Department of Veterans Affairs if the Department of Veterans Affairs had a different SES system, if you will, than other departments in the government. The SES system that is in place now has what is generally considered adequate safeguards to ensure that senior executives, if action has been taken, they can go to the MSPB if necessary. That has happened at VA. And in fact MSPB at one point reversed a decision, and then they went back as I understand it. So there are those tools in place where SESers have due process. And so there might be a concern from the perspective of this particular bill that some of that due process may not be available to senior executives.

Mr. TAKANO. Do you believe in your opinion that removing these protections could in fact turn these SES positions into expanded political appointees?

Mr. COY. I do not know that I am qualified, sir, to make that judgment. I would say again my experience as a senior executive, before I came over here I laid out the, I looked up the Senior Executive Service and refreshed myself and this is what the Office of Personnel Management defines a Senior Executive Service as comprised of men and women charged with leading the continuing transformation of government. These leaders possess well honed executive skills and share a broad perspective of government and public service commitment which is grounded in the Constitution. Members of the SES serve in key positions just below the top Presidential appointees.

Mr. TAKANO. Thank you, Mr. Chairman. I have no further questions.

Mr. FLORES. Thank you, Ranking Member Takano. Well, I have a parting comment on this particular issue. I was a senior executive in the private sector for 30 years and I never went to an organization and worried what the due process policies were. I just worried about how well I was going to be able to execute my position and the responsibilities under my authority. And I hope that we can, my encouragement for the VA is to embrace these reforms that we are proposing because they are desperately needed, it sounds like.

With this the first panel is excused with our thanks. We appreciate you joining us, Mr. Coy and Mr. Kelly. And we now invite the second panel to join us.

Before you leave, Mr. Takano, without objection we are going to change the rules so we can carry on with one member. Okay? You do not object? Okay, good.

All right. With our second panel today we have Steve Gonzalez, who is the Assistant Director for the National Economic Commis-

sion at the American Legion; Mr. Pete Hegseth, Chief Executive Officer at Concerned Veterans for America; Mr. Ryan Gallucci, Deputy District Director of the Veterans of Foreign Wars; and Mr. William Hubbard, Vice President of External Affairs at Student Veterans of America. And I apologize to those of you whose names I butchered. I thank all of you for being here, for your service to our nation while you were in uniform, and for your hard work and advocacy for veterans today. Mr. Gonzalez, we will begin with you. You are now recognized for five minutes.

Statements of Mr. Steve Gonzalez, Assistant Director, National Economic Commission, The American Legion; Mr. Pete Hegseth, Chief Executive Officer, Concerned Veterans for America; Mr. Ryan Gallucci, Deputy Legislative Director, Veterans of Foreign Wars; And Mr. William Hubbard, Vice President of External Affairs, Student Veterans of America

STATEMENT OF STEVE GONZALEZ

Mr. GONZALEZ. Good afternoon, Chairman Flores, Ranking Member Takano, and distinguished members of the subcommittee. On behalf of the National Commander Dan Dellinger and the 2.4 million members of the American Legion, we thank you and your colleagues for the work you do in support of our servicemembers and veterans, as well as their families. The hard work of this subcommittee in creating significant legislation leads a positive impact on our military and veterans community.

H.R. 2942, enactment of legislation to reestablish the Professional Certification and Licensure Advisory Committee, PCLAC, will benefit servicemembers as well as those who eventually employ veterans in the civilian workforce, easing the placement of qualified veterans in civilian careers and matching civilian employers with skilled veteran employees. The Department of Veterans Affairs currently lacks subject matter experts that can provide knowledgeable recommendations to improve VA's licensing and certification. Therefore the American Legion believes that it is extremely important that the PCLAC be reauthorized. The American Legion strongly supports H.R. 2942.

H.R. 3056, the American Legion believes strongly in the power of peer to peer support and has called for the development of peer to peer rehabilitation programs. However, we have several concerns with H.R. 3056. One, the commissioning of the pilot on only three college campuses. Two, the possibility of funding being diverted from existing programs such as VetSuccess on Campus that already provides such services. And three, the possibility of redundancy. For more details on these concerns please refer to our written testimony. The American Legion does not support H.R. 3056 as written.

H.R. 3614, the American Legion's Resolution Number 52 holds that we support action that will require Congress through the Secretary of Labor to ensure that each workforce center in the various states offering labor exchange services have sufficient funding to provide at least one DVOP and LVER staff to provide services to all veterans requiring employment and training assistance residing within the state.

As such, the American Legion cannot support any legislation which will withhold funding to these programs, even as a penalty. The American Legion does not support H.R. 3614 as written.

H.R. 4031, the American Legion is deeply concerned with the lack of accountability within the VA. This legislation will provide tools to the Secretary of Veterans Affairs to better manage senior executive service employees and hold them accountable when they fail to perform their duties in a manner that better serves the veterans entrusted to their care. The American Legion supports H.R. 4031.

H.R. 4037, the American Legion does not have a resolution or position on H.R. 4037.

H.R. 4038, the American Legion believes that in order to ensure the continued success of the delivery of education benefits and accurately track the outcomes of VA's VR&E system, the VA will need to maximize the usage of paperless IT systems and be proactive in this area to prevent any kind of backlog as such, as has been seen with disability claims. The American Legion supports the passage of H.R. 4038.

H.R. 4147, prior to the passage of the post-9/11 G.I. Bill, the VA delivered education benefits were relying on a combination of manual processes and legacy IT systems. However, the Department also determined at the time that its legacy systems were insufficient to support the demands for processing the new benefit. This report will allow policymakers to assess the status of the system, the plan of the system, the plan of action with regard to the finalization of the system, and the anticipated cost. The American Legion supports this bill.

H.R. 4150, Congress and other key stakeholders lack essential information needed to assess the performance of many programs in the Department of Labor's VETS. The American Legion believes that a longitudinal study conducted by a third party will help to identify lapses in program stewardship and will allow for the Department of Labor's VETS to make improvements to existing programs and services. The American Legion supports this bill.

Lastly, H.R. 4151, since the 2009 implementation of the post-9/11 G.I. Bill, education benefits have significantly increased for service members, veterans, and their families. However, the VA has yet to conduct an impact study—a survey or a study to evaluate the experiences of those individuals using the G.I. Bill benefit. In order to evaluate how such a robust benefit has impacted the lives of veterans who are transitioning from the military to civilian life, such an assessment on return on investment for policymakers, advocates, and taxpayers is much need. The Legion supports this bill.

The American Legion appreciates the opportunity to comment on the bills being considered by the Subcommittee. I will be happy to answer any questions you might have. Thank you, Chairman.

[THE PREPARED STATEMENT OF STEVE GONZALEZ APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Gonzalez. Mr. Hegseth, you are recognized for five minutes.

STATEMENT OF PETE HEGSETH

Mr. HEGSETH. Thank you, Mr. Chairman, Ranking Member Takano, and Members of the Committee. Thank you for the opportunity to be here today.

My name is Pete Hegseth, and I am the CEO of Concerned Veterans for America. We are an organization of veterans and military families dedicated to fighting for the freedom and prosperity here at home that we fought for while in uniform.

We are a growing organization of veterans and military families who refuse to accept the status quo in Washington. I am an Army veteran myself, having served three tours since 9/11—Guantanamo Bay, Iraq, and Afghanistan.

And today I am speaking on behalf of the members of Concerned Vets for America, and every veteran and their supportive families who feel like second-class citizens in their own system.

I am here for every veteran who has waited and waited and waited for a disability claim, for every veteran who calls the VA Hotline and then sits on hold, for every veteran who waits weeks and even months for a medical appointment, every veteran who receives substandard care, and tragically I am here for every veteran who has died because they have not received the care they needed when they needed it.

You have seen the stories, I have seen the stories, and it is long overdue that things change at the Department of Veterans Affairs. It is time for accountability, it is time for transparency, and it is time for results.

These stories motivate my testimony here today, as well as my organization's full support of the bipartisan House Resolution 4031, the Department of Veterans Affairs Management Accountability Act of 2014. No sober observer of VA's track record, especially in the last few years, can look you, me, or any other veteran in the eye and defend the status quo. The status quo is simply unacceptable, and everyone knows it, especially those to access or I should say attempt to access VA's impenetrable, and woefully ineffective bureaucracy.

The answer for years has been to spend more money. But as Secretary Shinseki says often, VA has all of the resources it needs. Since 2009, the budget for VA has increased by $66 billion dollars. But what VA and many in its army of advocates will not publicly admit is that VA's problem has nothing to do with money, and everything to do with a calcified culture of mediocrity.

At VA, nearly all employee performances rewarded, regardless of outcome, poor employee performance is routinely ignored or covered up, and veterans are left holding the bag—wanting and waiting. What we have today is a VA that is very good at protecting managers and staff, and not very good at serving veterans.

Omar Bradley, of World War II fame and a former Veterans Administrator, once said, "We're dealing with veterans, not procedures, with their problems, not ours." Bradley's creed has been turned on its head. VA is obsessed with procedure and so engulfed in its own cultural problems, they are not serving veterans the way our Nation expects.

Now I am not saying VA leadership managers and employees are bad people, they are not. Many of them are veterans and many of them do an excellent job. But with any bureaucracy over time, institutional incentives can distort human behavior in ways that become self-serving and process driven as opposed to customer service oriented and outcome driven.

This has clearly happened at VA, as not a single senior VA manager has been fired under this Administration. Not one. To the contrary, in 2011 and 2012 every SCS received a performance rating of fully successful, while the back-load and other problems exploded. Tell me this: if basic accountability is not enforced at the top, how can performance be corrected throughout and organization?

That is what House Resolution 4031 seeks to combat, providing the VA Secretary with the tools necessary to bend the incentive curve. The Bill would simply empower the VA Secretary to fire under-performing managers, specifically members of VA senior executive service. These are the folks who run the hospitals, lead the regional offices, and run entire departments. The ability to cut through red tape and actually fire bad managers is the same power we give our Secretary of Defense, which Secretary Gates used quite effectively in cleaning up the 2007 mess at Walter Reed.

Why should the VA Secretary not have those same basic tools?

Now, of course, VA has opposed this reform measure and is peddling their own watered down version. That is to be expected, as no bureaucracy would demand more accountability of itself. Some in Washington also derived the Bill as an issue of employee rights, saying it would undermine existing civil service rules.

Critics mainframe the issue as a matter of employee rights, but what rights are they defending? The right of a poor-performing VA executive to fail at their job? The right of a VA leadership to retaliate against whistle blowers, or the right to continue granting extravagant bonuses to failing managers? It takes a very expansive understanding of employee rights to oppose the bill on those grounds.

Far from being an attack on dedicated public servants, H.R. 4031 would instead empower and attract better managers. This bill would also bolster the best employees while sending a clear message to poor performers, that results matter. We think it would attract perform-minded individuals.

In closing, the key question before this Committee and this Congress is simple—who will you stand with, under performing bureaucrats who can't be fired, or veterans who are being underserved? The answer to that question is crystal clear.

Thank you for this opportunity, and I welcome your questions, Mr. Chairman.

[THE PREPARED STATEMENT OF PETE HEGSETH APPEARS IN THE APPENDIX]

Mr. FLORES. Mr. Hegseth, well said, and that is obviously a YouTube that I would like to play over and over again. So, Mr. Gallucci, you are recognized for five minutes.

STATEMENT OF RYAN GALLUCCI

Mr. GALLUCCI. Thank you, Mr. Chairman. I want to thank you and the Subcommittee for the opportunity to testify today on behalf of the VFW. I also want to thank this Subcommittee for its hard work over the last year, advancing critical legislation, like in-state tuition for veterans. We encourage you to keep up the hard work and look forward to working with you to accomplish our shared goals. For the VFW's full thoughts on today's bills, I will refer you to my prepared testimony, as I will only speak briefly to each of them.

First, on H.R. 2942, the VFW supports this bill and we echo the sentiment of my colleague from the American Legion, who laid out the case for why this Advisory Committee must be extended.

Next, on H.R. 3056, the VFW supports Ranking Member Takano's efforts to better understand the impact of peer support for student veterans; however, we question the need for a pilot program to do this. We worry that a pilot would duplicate what already happens on the grounds, thanks to our colleagues from Student Veterans of America, as well as through VA work study and programs like VSOC, VITAL, and Veteran Centers of Excellence.

Recently, I discussed the peer support with Kenneth Wiseman, the VFW Student Veteran Outreach coordinator for Virginia, and a graduate student at Old Dominion University. Through his work around Virginia, Ken helps schools and student veterans understand the programs and support available to them. Just last week, Ken visited Virginia Western Community College's new Veteran Center, which will soon host 6 VA work study veterans to offer peer support. Ken's home campus, Old Dominion, hosts nearly a dozen VA work study veterans to do the same.

The VFW believes that in lieu of a pilot, Congress should instead look to programs like those at Old Dominion to better understand how schools, student veterans, and VA are working together to deliver peer services.

The VFW agrees that we know far too little about the student veteran experience and we should study peer support models to identify promising practices and potential shortcomings. However, to do so, the VFW recommends studying a diverse selection of schools already implementing peer support programs. The VFW fully supports the goal to report on the efficacy of peer support for student veterans, and we look forward to working with the Committee on this issue.

Next, H.R. 3614. The VFW supports the concept of this bill to streamline licensing opportunities for veterans. Prior to this hearing, I visited the Army's recruiting website, *goarmy.com*, which touts the valuable career skills soldiers receive. To the VFW, it seems unreasonable that these skills would not easily translate to civilian jobs as we all know, and we look forward to working with the Committee on ways to fix this.

On H.R. 4031, the VFW shares Chairman Miller's concerns over accountability for VA management. We support the intent of this bill to give VA broader authority to remove SES employees for poor performance, but have some concerns over the proposal as it is written right now. Any changes must protect that intricate link be-

tween political appointees and civil servants, but the VFW agrees that the current system makes it nearly impossible for VA to remove an SES.

As a result, the VFW recommends changing the disciplinary procedures to ensure that SES employees must respond to notices within 30 days, with some appeal rights intact, in lieu of today's open-ended process.

Recently, VFW Commander-in-Chief Bill Thien testified that it is a privilege to work for VA, not a right. We look forward to working with Chairman Miller to reinforce this message.

H.R. 4037, the VFW supports the intent of your bill, Mr. Chairman, to ensure that VR and E helps the veterans who need it the most. VR and E is nearly at capacity for offering rehabilitative services and as the military draws down, we share your concerns that without responsible changes, VR and E may be stretched too thin. However, the VFW worries that restricting eligibility will cause some veterans to fall through the cracks.

Although we cannot support this bill in its current form, we do look forward to working with you on meanful reforms that will ensure VR and E conserve those who need it without restricting access.

On H.R. 4038 and 4147, the VFW supports both of these bills and we thank you, Mr. Chairman, and Ranking Member Takano for ensuring that VA invests in its education IT systems and can report on potential shortcomings to make necessary improvements.

H.R. 4151, the VFW supports Congressman Bilirakis' efforts to understand the student veteran experience. Since we do not know enough about today's student veterans, many draw conclusions based on bad information. In my office, my colleagues and I joke that by Department of Education standards, none of us are considered a college graduate.

We need quality information to demonstrate veteran success, coupled with Ranking Member Takano's report on peer services, and SVA's recent report on student veteran outcomes, we believe this bill will allow us to better understand the unique experiences of student veterans, protecting our investment in future veteran leaders.

Finally, on a longitudinal study on vets, the VFW believes that the Department of Labor VETS can provide a critical gateway to civilian employment for many veterans, particularly through the DVOP and LVER network. Unfortunately, services vary across the country and we struggle to evaluate what works and what doesn't.

Recently, the VFW referred a small business owner in Indiana to his local LVER, and we are proud to report that the next day he had several interviews lined up with viable candidates.

So, we believe that this system can work, but we must have proper oversight to ensure that vets can deliver the services veterans need. We support this draft concept, and we look forward to working with the Committee to advance it.

Mr. Chairman, Members of the Subcommittee, this concludes my statement. I am happy to answer any questions you may have.

[THE PREPARED STATEMENT OF RYAN GALLUCCI APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Gallucci. Mr. Hubbard, you are recognized for five minutes.

STATEMENT OF WILLIAM HUBBARD

Mr. HUBBARD. Mr. Chairman, thank you for inviting Student Veterans of America to submit our testimony regarding pending legislation intended to increase support for military service members and veterans.

Student Veterans of America is the largest and only national association of military veterans in higher education. Our mission is to provide military veterans with the resources, support, and advocacy needed to succeed in higher education and after graduation.

We currently have nearly 1,000 chapters or student veteran organizations at colleges and universities in all 50 states that empowers veterans in their transition and through a higher education. This on-the-ground perspective, which comes from every corner of this Nation, and our experience in supporting thousands of G.I. bill beneficiaries, provides the framework for our testimony regarding these important issues.

The two bills we would like to address today are H.R. 4150, and H.R. 4151 from the Offices of Congressmen Cook and Bilirakis, respectively.

Looking at H.R. 4150, Veterans Employment and Training Services Longitudinal Study Act of 2014, on March 24 we released our initial findings of our Million Records project, an SVA—lead research study of veterans in higher education in collaboration with the Department of Veterans Affairs and the National Student Clearinghouse.

As we look at H.R. 4150, we find it to be complimentary to our research, and within the spirit of seeking data-driven decisions on programs to support veterans in higher education.

Since our organization's inception, we have held that the life cycle of the veteran's transition from the military, to school, and onwards to civilian careers, is a highly inter-dependent process. Each component of this process builds on the proceeding steps, and this legislation seeks to empower veterans through several critical stages.

For example, the Department of Labor's Veterans Employment and Training Service, VETS, builds bridges for millions of veterans across—over the coming years as they pursue gainful careers in post-graduation. However, the current lack of coordination and understanding of the breadth of impact surrounding this part of the transition process is a crucial gap that must be addressed.

SVA applauds the interest and moving towards the goal of gaining greater clarity on the impact of job counseling, training, and placement of veterans. In 2012, a GAO report noted that the Federal government has sponsored 6 different programs, serving at least 880,000 participants at a cost of $1.2 billion.

Such a broad variety of resources might be seen as a positive attribute and certainly reflects the sea of goodwill that has developed over the past decade. However, without coordination, duplicative efforts and inefficiencies threaten to stymie the full potential of these resources.

A study as this legislation proposes would enable decision makers at multiple levels to understand what is working. As well, the study would highlight areas for change. SVA is in full support of H.R. 4150, and applauds the legislation for being fully inclusive of all individuals of any kind in educational assistance.

Turning to H.R. 4151, the Veterans Education Survey Act of 2014, SVA stands in strong favor of Congressman Bilirakis' legislation, H.R. 4151. It is right for some Americans to ask, what are we receiving for our investment in the G.I. Bill? Indeed, this is a crucial question as more than $34 billion has been spent on millions of veterans who have sought and are seeking degrees in higher education.

As previously noted, our Million Records Project has sought to answer that question. H.R. 4151 is an important piece of legislation because it answers another key element of this investment in our veterans—what motivates veterans to pursue the paths that they do.

We know that a majority of service members elect to pursue higher education as they transition out of the military. With an expected one million new veterans to enter the civilian population over the next several years, the importance of empowering veterans in higher education will continue to increase.

Through the Million Records Project there are several data points that we have gained great insight on, and when paired with the data that would be collected through a study directed by this legislation, the picture will become even clearer. This legislation will add another element to that picture, factors that impact the past veterans' pursuit in higher education.

The more data available on these topics, the better. Since 2000, over 4 million veterans have benefitted from the use of the G.I. Bill, and American taxpayers can expect that this generation of veterans will positively impact the American economy, in magnitudes that will continue for several generations to come.

Student Veterans of America is appreciative of the opportunity to provide this testimony. We thank the Chairman, the Subcommittee members for their time and attention and devotion the cause of veterans in higher education, and we look forward to continuing to work with the Subcommittee, the House Veterans Affairs Committee, and Congress to ensure the success of all generations of veterans through education.

Mr. Chairman, thank you for allowing Student Veterans of America the opportunity to participate in this important hearing.

[THE PREPARED STATEMENT OF WILLIAM HUBBARD APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Hubbard, and I thank all of you for your testimony. I now recognize myself for five minutes for questions.

This is a question for all of Panel 2. If the VA is resistant to reforming the SES employment protocols, what sort of a message does that send to our veterans? Let us start with Mr. Gonzalez.

Mr. GONZALEZ. Mr. Chairman, at this moment I am not pretty much the person that would deal with this particular issue. My colleague, who is not here today, would be more than happy to follow-

up with your staff with a written statement on the record on your particular question, Chairman.

Mr. FLORES. Okay. Mr. Hegseth, you were pretty passionate about this subject. What message do you think this sends to our veterans?

Mr. HEGSETH. I think it sends a signal of detachment from reality, that the bureaucrats or employees or those who—and let me be clear. Most SES, use that word, "bureaucrats," I don't mean it pejoratively. These are folks that want to do well by veterans, but are detached from the outcomes and the realities that are actually coming down the pike and what veterans are experiencing. And when they see failures and they read the headlines and they wait in line, and then they do not see anything change at the top and then they read about bonuses for executives of failing departments, it tells them the very department that was meant to serve them is actually serving the interests of other people who can protect those interests easily, because they've got access and lobbyists and protections here in Washington, and it is the veteran who is left hanging.

So I do think it creates a perception that VA is disinterested and detached from what actually happens in the lives of those veterans and reinforces the separation a lot of veterans feel right now from a department that should be serving them, and leaders who should be pounding the table for reform, which is why we believe the argument the VA has pushed forward, that this would discourage good managers is false—is utterly false.

Why, as a good manager, would you want to enter a bureaucracy where you cannot effect change, where you cannot reform it so that it is better in the way it provides outcomes? So, we'd like to believe that these changes would encourage better employees.

Mr. FLORES. Okay. Mr. Gallucci, what reflections do you have?

Mr. GALLUCCI. Well, thank you, Mr. Chairman. I do not want to speculate on what VA's—on why VA would come out in opposition to this. But from our perspective, one of the concerns that we have is to keep the pendulum swinging too far in the wrong direction, which is why we look forward to working with the Committee to put forward good legislation that will make sure we can hold senior executive service members accountable for the decisions that they have made.

What we wrote about in our prepared remarks discussed that the SES exists to bridge the gap between political appointees and the career civil servants. What we would hate to see is them to hold the SES to the same standard as political appointees, in which you have just another level of political appointee, where SES is going to be fired at the whim of whoever is in that Administration.

We agree there needs to be a bridge between those two, and that is why we look forward to working with the Committee and Chairman Miller to make sure that have a responsible bill for the SES accountability.

Mr. FLORES. Mr. Hubbard, what sort of a message do you think it sends to our veterans and front line VA employees if we don't reform the SES system?

Mr. HUBBARD. At this time, Student Veterans of America finds it out of the scope of our mission to comment on this bill.

Mr. FLORES. Okay. Thank you. Mr. Gallucci, you had a thoughtful suggestion on H.R. 4031 that I do remain concerned that the approach that you have recommended remains too close to the status quo, so we do look forward to working with you in terms of trying to find a way to hold SES employees accountable, but also we can't have a status quo. We have got too many things that are not working at the VA that we would like it to—bonuses being paid and veterans continue to suffer. So we will keep working with you on that.

Continuing on to another question for Mr. Gallucci, you had some testimony on my Voc Rehab bill about the need to prioritize service and ensure the most severely injured veterans receive care first. Can you elaborate on how you would see that working?

Mr. GALLUCCI. This the discussion we look forward to having. Obviously, the VFW, we would oppose restricting access to the program for veterans who are currently eligible. We worry that some veterans would slip through the cracks.

However, we certainly recognize that the program is getting close to a point where it may not be able to deliver the rehabilitative services that veterans need. By the very nature of the program, it is designed to rehabilitate veterans who—because of their service connected disability, need to find a new career path. And that is why we look forward to working with you on ways to come up with it.

One of the issues that I brought up in our written testimony is the ratio of Voc Rehab counselors to Voc Rehab participants. Right now the independent budget—veteran service organizations report that at about 145 to 1, which is well above VA's acceptable ratio of 125 to 1. So that demonstrates to us that there is some stress on the system.

So, though we do have concerns about the bill as written in restricting access to some veterans who may need it, who may have a low service connected disability but a significant barrier to employment, that is why we want to have an open and ongoing conversation about the best way to do that.

Mr. FLORES. Okay. Mr. Hubbard, I have got sort of a two-part question, but I would like to start with how would you define success for student veterans?

Mr. HUBBARD. Sir, I would define success for our student veterans in terms of them being able to make a clear transition to educational institutions, for them to have a smooth process which would consist of working with the administration at their universities as well as their peers on campus, and then translating that success over to a gainful employment; to be able to find a career that is both fulfilling and also able to pay the bills. You know, individuals can't just land jobs. That is not the goal. The goal is to find careers for these veterans if they can actually contribute to society in a positive way, and frankly, really impact the American economy.

Mr. FLORES. I like your definition. Based on that definition, I have a question for you and Mr. Gallucci, both. Can you talk a little bit more about the need for hard data that truly shows success for student veterans? We'll start with you, Mr. Hubbard.

Mr. HUBBARD. Sure. Absolutely. So a lot of speculation and anecdotal evidence has been provided both ways about how student veterans are faring, in both education and then beyond. Without actual hard evidence data, this is just speculation. There is no actual ability to create programmatic change or effect policy.

So being able to look at that base line of data, understanding how student veterans are faring in education, from that point forward you can actually make data-driven decision and you are basing your information on something that you know, versus something that you think.

Mr. FLORES. Okay. Mr. Gallucci, can you add to that?

Mr. GALLUCCI. I think it is very important. Like I spoke about in my oral remarks, neither myself nor my colleagues at the VFW are considered college graduates by Department of Education standards. And that really comes from——

Mr. FLORES. They include a bunch of us.

Mr. GALLUCCI. Exactly. I think probably everybody at this table would not be considered a graduate by those standards. And what we saw over the last couple of years is we were creating a false narrative about student veteran performance and higher education, and I have to thank my colleagues from Student Veterans of America for putting out their report that demonstrates that veterans are on par with their civilian peers, and actually do better than their non-traditional peers in higher education.

What worried me about that report yesterday, though, is that the non-traditional data is more than 20 years old. So, we have a responsibility to find quality data on veterans.

One of the things that I wanted to talk about is the importance of studying peer-to-peer support in higher education. This is one of the reasons why we encourage the Subcommittee and Representative Takano to adjust fire on their bill on peer-to-peer support. We think peer-to-peer support is critical on college campuses, but one of the problems that we see is that we know this is happening. We know it is happening in droves around the country. But the problem with commissioning a new pilot is that if these sites know that they are being studied, those sites are going to behave differently.

Mr. FLORES. Right.

Mr. GALLUCCI. We already have this happening in the community and if we want to do it responsibly, I believe that we should study what is already happening and then adjust programs within VA and within the veteran's community accordingly.

Mr. FLORES. Okay. Thank you, Mr. Gallucci. Mr. Gonzalez, can you go into more detail about the view that you expressed related to the Department of Labor's current ability to track outcomes, and how H.R. 4150 would help to address this problem?

Mr. GONZALEZ. Well, we knew in the past that many of the outcomes that the Department of Labor lacks has affected, or I should say, the DVOPS and LVERS and how the resources are being allocated or how the resources are being actually delivered to the veterans, transitioning into whatever state that they are—respective state that they are going back into, whether it is their home state or the current state that they are stationed at.

One of the problems we have seen in the past with a lot of the inability for Department of Labor to even know what is going on

is how is money—how is the funding going into the state, how DVOPS and LVERS are in some cases of being not just allocated to help veterans look for employment, but also the whole entire population which goes against their mandate.

The Department of Labor, through many past GAO reports have shown the lack of Department of Labor's VETS program or Department of Labor in general ability to actually acquire this type of information. Now knowing and being able to acquire such an information again will allow for advocates but also policymakers like yourself, Chairman, and this Committee to figure out is the money being used for the right reasons. And the reason we say that is, as we all know, the draw downs are coming. The Army alone will be shedding roughly about 140,000 soldiers within the next couple of years, where guess what? Welcome to society. Here you go.

We know in the past that the Army's spending—and that is the other part to this, is that this particular issue is not just going to affect the Department of Labor, but it is also going to affect the Department of the Defense. If we cannot find those individuals employment, Department of Defense is on the hook for paying unemployment benefits, and as we well know, in the last—I don't know, ten years or so, the Department of Defense has spent $9 billion in unemployment benefits.

Now that money, which people don't realize, comes out of operating budgets of each respective service, which again, goes back to our National security. It goes back to our readiness, which that is a topic of conversation right now within the public, is how do we continue to have readiness? And if we are drawing down and we cannot find them employment, will DoD better be able to cough up the money, because someone is paying for it and DOD is on the hook.

Mr. FLORES. Right.

Mr. GONZALEZ. So, it has bigger implications, Chairman.

Mr. FLORES. You did get into a vicious spiral, so—because you hurt readiness more and then the budgets get tighter and the more people——

Mr. GONZALEZ. Yes, sir.

Mr. FLORES. You reduce the uniform strength. It does get to that spiral that none of us want to see.

This is my last question to Mr. Gonzalez, Mr. Gallucci, and Mr. Hubbard. Assuming for a minute that H.R. 4038 becomes law and the VA has upgraded its IT systems related to the G.I. Bill. What are some of the positive things that you think would happen by doing this, and Mr. Hubbard, we will start with you first.

Mr. HUBBARD. I am sorry. Can you repeat the question?

Mr. FLORES. Sure. Yes. Assuming for a minute that H.R. 4038—it is my bill related to having the VA upgrade its IT systems with respect to the G.I. Bill to go to a rule space processing system. What are some of the positive outcomes that you think would happen and would be experienced by our student vets?

Mr. HUBBARD. Well, for starters, I think the ability to have a clear system that they understand and can be responsive, that is the number one outcome. Student veterans who put in for the benefits who don't get them processed ultimately even just one month being missed can have a detrimental impact long-term. You might

miss the first month of classes, university might hold the degree, you might not be able to graduate. And the lasting effects of this can range for years. You know, an individual loses time on their G.I. Bill benefits and ultimately it will effect their ability to graduate.

Mr. FLORES. Okay. Mr. Gallucci, same question.

Mr. GALLUCCI. Thank you, Mr. Chairman, for the question. I think the reason that we support this or we want to see VA finish its IT resources for education is because we have already seen significant progress on automation within processing G.I. Bill claims. So they have reduced the wait time significantly on initial claims, and then on supplemental claims are almost fully automated. So veterans are not having to wait months to receive their benefits.

We have seen some hiccups in the system; we want to prevent those. We think it is a good thing if they finish their IT resources because then we will have something concrete in place, something that veterans can rely on, something that they can work off of, and when they—as my colleague Will was saying that when they show up to school they know that their check is going to arrive on time, that they can pay the rent and pay the bills.

Mr. FLORES. Okay. Mr. Gonzalez.

Mr. GONZALEZ. Thank you, Chairman, for the question and again I will pretty much agree with my colleagues but also to talk about that would be also is allowing it to streamline such a system to ensure that we do not have the same mistakes we have seen with backlog claims, is first of all.

Second, the other problem is making sure that by streamlining it it allows for one less burden for an individual who does have other issues. It can be taking of family, going to school full-time. I use myself as an example. When I went to school, I was a full-time student. I worked full-time, and I was also in the Reserves.

Mr. FLORES. Wow.

Mr. GONZALEZ. So having that, that is one less burden as myself, as a student veteran, as a drilling reservist, and as well as a full-time employee, as a second job, it allows for one less burden for myself to have to worry about and having such a system will allow myself to, again, pay my bills, pay the school on time, and not be held accountable for basically the issues that VA has occurred, and again just also prevent one other disaster, especially again with the draw-down happening, you are going to see more and more student veterans entering actual institutions of higher learning. So you want to be proactive and not reactive in this situation.

Mr. FLORES. Okay. I want to thank each of you for your testimony today. Again, thank you for your service to our country while you were in uniform and thank you again for your advocacy on behalf of our Nation's veterans, one of our Nation's most important resources for our future.

If there are no further questions, and I do not think there are since we have a bunch of empty chairs, I want to thank each of you for being here today and taking the time to share your views on these nine bills. This is very important to the Legislative process and we appreciate your insight and your feedback and your passion.

We also want to announce that the Subcommittee will be holding a markup on some or all of these bills on April the 8th. I ask unanimous consent that the following organizations be allowed to submit testimony for the record: The Association of Private Sector Colleges and Universities, Vets First, Disabled American Veterans, Wounded Warrior Project, and the Senior Executive Association. Without objection, so ordered.

Finally, I ask unanimous consent that all members have five Legislative days to revise and extend remarks and include extraneous material on any bills under consideration this afternoon. Without objection, so ordered.

Again, I want to ask you for your forbearance. We started about an hour late in order to accommodate votes, but we appreciate everybody in the audience. We appreciate the VA and the Department of Labor for their forbearance, as well, and for our current panel of witnesses.

The hearing is now adjourned. Thank you.

[Whereupon, at 4:51 p.m. the meeting of this subcommittee was adjourned]

PREPARED STATEMENT OF CURTIS L. COY

Good morning, Mr. Chairman, Ranking Member Takano, and Members of the Subcommittee. Thank you for the opportunity to be here today to provide VA's views on pending legislation affecting VA's programs, including the following: H.R. 2942, H.R. 3056, H.R. 4031, H.R. 4037, H.R. 4038, H.R. 4147, and H.R. 4151. Other bills under discussion today would affect programs or laws administered by the Department of Labor (DOL). Respectfully, VA defers to DOL on H.R. 3614, the "Military Skills to Careers Act," a bill to improve the recognition by states of skills learned in the military by Veterans when issuing licenses and credentials, and H.R. 4150, the "Veterans Employment and Training Service Longitudinal Study Act of 2014," a bill directing DOL to enter into a contract for the conduct of a longitudinal study of job counseling, training, and placement services for Veterans provided by that Department. Accompanying me this morning is Mr. John Brizzi, Deputy Assistant General Counsel.

H.R. 2942

H.R. 2942 would amend section 3689(e)(5) of Title 38, United States Code, to reestablish VA's Professional Certification and Licensure Advisory Committee with a new termination date of December 31, 2019. VA may appoint new members of the Committee without regard to the individuals who served as members before the date of enactment of this bill.

The Committee would advise the Secretary of the requirements of organizations or entities offering licensing and certification tests to individuals receiving VA education benefits and other related issues as the Committee determines to be appropriate.

VA supports this legislation. If reestablished, the Secretary would be able to receive recommendations and seek advice from the Committee with regard to licensing and certification programs.

VA estimates that, if enacted, there would be no benefit costs or savings associated with H.R. 2942. VA did not have administrative costs available at the time of the hearing.

H.R. 3056

H.R. 3056, the "Warriors' Peer-Outreach Pilot Program Act," would direct VA to carry out a 3-year pilot program on the provision of outreach and support services to Veterans pursuing higher education under that Department's Post 9/11 Educational Assistance Program (chapter 33 of Title 38, United States Code). VA would select three institutions of higher learning at which the pilot program should be carried out, to include: One 4-year public university, one community college, and one private, not-for-profit college. To be eligible to participate in the pilot program, the institution is required to:

1) Provide office space to use information technology equipment and appropriate support services for the individual who will provide peer-outreach and peer-support services at the institution.

2) Cooperate in providing data required to evaluate the effectiveness of the pilot program.

Priority selection for the pilot program will be given to institutions of higher learning with existing peer outreach programs for Veteran students and institutions of higher learning located in states with large Veteran populations.

In carrying out the pilot program, the Secretary shall provide peer-outreach and peer-support services to Veterans of Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn who are students at an institution where the Secretary carries out the pilot program. Emphasis will be placed on individuals who have difficulty adjusting to an institution, or who need services or support that the institution is not equipped to provide, by employing:

1) Veterans who are using chapter 33 benefits to pursue a program of education leading to a degree at the institution of higher learning;

2) Those who have used entitlement to educational assistance under chapter 33 to complete a program of education and graduate from such an institution during the 18-month period preceding the date on which the Veteran is hired to perform services under the pilot program; and

3) Veterans who have served on active duty in a theater of combat operations (with special consideration given to Veterans who have recovered or are recovering from a mental health condition).

The Secretary shall provide training for Veterans hired under the pilot program and develop requirements and measures for assessing the impact and effectiveness of the services provided, including:

1) Developing and disseminating an online survey;

2) Developing and disseminating (not earlier than 18 months after the start of the pilot program) a follow-up online survey instrument to gather data, including data to assess engagement with peer support, experience-accessing services, and adjustment to higher education; and

3) Tabulating the number of Veterans who meet on an individual basis with peers, the number of referrals the individual makes, and the outcome of the referrals.

The pilot program would terminate 3 years after the date of commencement or the last day of the academic year that ends no more

than 180 days after the date that is 3 years after the date of commencement.

H.R. 3056 would require the Secretary to submit a report to the Committees on Veterans' Affairs of the Senate and the House of Representatives no later than months after completion of the pilot program. The report would include a description of the implementation and operation of the program and an evaluation of the effectiveness of the peer-outreach services provided under the program.

VA does not support this legislation because we do not believe it is necessary. If enacted, it would create a pilot program similar to VA's VetSuccess on Campus (VSOC) program. The legislation also calls for VA to carry out the pilot program on only three campuses, thus limiting the population pool we would be reaching to effectively conduct outreach. The VSOC program aims to help Veterans, Servicemembers, and their qualified dependents succeed and thrive through a coordinated delivery of on-campus benefits assistance and counseling, leading to completion of their education and preparing them to enter the labor market in viable careers. The VSOC program provides a VA Vocational Rehabilitation Counselor (VRC) at each VSOC school, with requisite space for using information technology equipment and in a private setting to discuss matters specific to the individual's needs. In fiscal year 2013, the VSOC program expanded to 62 campuses, bringing the total number of VSOC sites to 94.

The proposed legislation would require VA to employ Veterans to provide peer outreach and peer support to certain Veterans. However, VSOC VRCs partner with Veterans Health Administration Vet Center Outreach Coordinators on many campuses, to provide peer-to-peer counseling and referral services. These individuals ensure Veterans receive the support and assistance necessary to pursue their educational and employment goals.

VA estimates that, if H.R. 3056 was enacted, there would be no benefit costs. Administrative costs are estimated to be $211,000 in the first year, and $652,000 over 3 years. Information technology costs, which include information technology equipment for full time equivalents, installation, maintenance, and information technology support, are estimated to be $6,000 in the first year, and $18,000 over 3 years.

H.R. 4031

H.R. 4031, the "Department of Veterans Affairs Management Accountability Act of 2014," would amend chapter 7 of Title 38, United States Code, by adding a new section 713 that would, notwithstanding any other provision of law, enable the Secretary of Veterans Affairs to remove any individual from the Senior Executive Service (SES) if the Secretary determines the performance of the individual warrants such removal. The Secretary could remove the individual from Federal service or transfer the individual to a General Schedule position at any grade he determines appropriate.

The bill would require notice to the House and Senate Veterans' Affairs Committees within 30 days after removing an individual from the SES, and the reason for the removal. It provides that "[a] removal under this section shall be done in the same manner as

the removal of a professional staff member employed by a Member of Congress." VA opposes this legislation.

The purpose and principles Congress provided in 5 United States Code § 3131 to govern the SES include ensuring employment conditions that attract and retain highly-competent senior executives, protect them from arbitrary or capricious action and prohibited personnel practices, ensure compliance with the civil service rules, and secure protection from improper political interference.

The SES is comprised of men and women charged with leading the Federal Government. The leadership provided by those serving in the SES is critical, as is the need for effective performance management for the SES, and indeed all Federal employees. VA is committed to continuing our dialog with the Committee about effective accountability and performance management throughout VA, including the SES within VA, but we believe this bill would generate serious unintended consequences that would prove counterproductive. Further, as detailed below, under current law, the Secretary already has tools to address the performance of SES managers who have not met acceptable standards.

First, enactment of H.R. 4031 would have a chilling effect on VA's ability to recruit and retain high-quality leaders and managers, especially when VA is in competition with other Federal agencies for those leaders. Enactment of the bill would significantly diminish workplace protections for VA SES. This would jeopardize VA's ability to recruit senior managers from outside the Department as well as promising General Schedule employees that VA hopes to advance to SES leadership (a critical part of succession planning). We believe this change, if enacted, would diminish VA's ability to best serve Veterans, as well as be an effective steward for the U.S. taxpayer.

Second, we believe employees who are removed would (and should) still retain due-process protections. Thus, actions taken by the Secretary under the authority provided by H.R. 4031 could still lead to lengthy litigation, even if the intent of the legislation was to make removal from the SES a non-appealable action.

As noted above, the Secretary already has tools under current law and established regulations to address executive performance. SES statutes give agencies the authority to manage executives and remove individuals from the SES who perform unacceptably. A career executive can be removed if rated unsatisfactory after an appraisal period. The law requires certain procedural steps within the agency that promote deliberation and fairness but cannot restrict the agency head's final action. An executive removed for performance has no appeal right. To encourage high performers to join the SES, the statute provides fallback to a position of a level at which they formerly excelled, which preserves the agency's long-term investment in the employee. The Secretary also has the ability to effect a reduction in pay as a response to poor performance, as well as reflect that judgment in performance evaluations and performance awards. Secretary Shinseki has utilized all of these tools to address performance and accountability.

We believe restriction of this bill to VA executives will not diminish the systemic threat it poses to the Government-wide SES Corps. Should H.R. 4031 be enacted, it would set precedent for

other agencies. This could be viewed as a fundamental abrogation of Federal commitments to senior executives and should not be done without thorough consideration of the implications for the SES Corps and executive management of Federal programs throughout the Government.

While VA believes H.R. 4031, if enacted, could have broad negative effects on its ability to recruit and retain managerial talent, we cannot estimate with any specificity the budget impact of this measure.

H.R. 4037

H.R. 4037, the "Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014," would make certain improvements relating to training and rehabilitation for Veterans with service-connected disabilities. Section 2 of H.R. 4037 would add a new section 3123 to chapter 31 of Title 38, United States Code, for calculating the rate at which Veterans are determined to be rehabilitated to the point of employability during a fiscal year. Under this new section, the Secretary would be required to divide the number of Veterans who participated in a chapter 31 rehabilitation program and those determined to have been rehabilitated to the point of employability during a fiscal year by the sum of the number of Veterans who participated in a chapter 31 rehabilitation program during the fiscal year and the number of Veterans who were entitled to participate in a chapter 31 rehabilitation program during the fiscal year but did not complete the program.

VA cannot support this section as drafted because the required calculation would not validly measure the Vocational Rehabilitation and Employment (VR&E) program outcomes. VA agrees that it is important to improve calculations to measure success, however, the required calculation would not accurately measure the percent of Veterans made employable and would only account for VA's success at preparing individuals for jobs, not VA's success at helping Veterans obtain jobs. VA is currently improving performance measures and is ready to work with the Committee to further refine its performance measures. No costs would be associated with this section.

Section 3 of the draft bill would add a requirement to section 3104(b) of Title 38, United States Code, that any courses of education or training pursued by a Veteran as part of a chapter 31 rehabilitation program be approved for purposes of either chapter 30 or 33, unless this requirement is waived by the Secretary as deemed appropriate. This new section would apply with respect to a course of education or training pursued by a Veteran who begins a program of rehabilitation on or after the date that is 1 year after the date of enactment of this Act.

VA supports the intent behind this section and is examining the need for a policy that would require the approval of the Director, VR&E Service, for Veterans participating in a chapter 31 rehabilitation program to enroll in schools that are not approved for purposes of chapters 30 and 33. VA has the authority under section 3115 of Title 38, United States Code, to approve any course of training at any facility if VA determines that it will meet the unique rehabilitation needs of a Veteran participating in a chapter

31 rehabilitation program, and an approved course is not available for that Veteran. This flexibility is necessary to cover the special needs of chapter 31 program participants in certain cases, such as when a Veteran requires specialized, non-college degree training, and an appropriate training facility is located near the Veteran's residence but has not been approved for purposes of chapters 30 or 33 education benefits because it has not been in operation for 2 years. Maintaining the flexibility to approve such courses of training under section 3115 allows VA to provide individualized services based on a Veteran's unique personal needs. Before approving any course or training facility for a chapter 31 program, VA ensures it meets the requirements of 38 Code of Federal Regulation §§ 21.120 through 21.162 and 21.290 through 21.299. No costs would be associated with this section.

Section 4 of the draft bill would expand eligibility for specially adapted housing (SAH) to disabled Veterans who are eligible for a chapter 31 vocational rehabilitation program and are referred for assistance pursuant to section 2107 of Title 38, United States Code. VA cannot support the section as written because it is not clear if Congress intends to establish a new category of eligibility for the smaller SAH grant, which would be provided in addition to chapter 31 assistance, or if Congress intends to move the authority for the housing modification authorized under chapter 31 so that it is only administered as a type of SAH grant under chapter 21. If the latter, VA agrees that any significant modifications to adapt Veterans' homes are best managed by SAH personnel with extensive construction expertise and experience. Our VR&E counselors work collaboratively with SAH personnel to meet the adapted housing needs of chapter 31 Veterans. VA is ready to work with the Committee on drafting technical language that would ensure services are provided to Veterans in need of assistance. VA is unable to estimate costs for this section as additional clarification of this section is needed.

Section 5 of the draft bill would add a new section 3104(c) to Title 38, United States Code, giving the Secretary authority to prioritize the provision of chapter 31 services based on need. The Secretary would be required to consider disability ratings, the severity of employment handicaps, qualification for a program of independent living, income, and other appropriate factors in evaluating need. Section 5 would also require the Secretary to submit to Congress a plan describing any changes with regard to prioritizing the provision of chapter 31 services not later than 90 days before making any changes.

VA cannot support this section because VA does not believe legislation is needed to prioritize vocational rehabilitation services. VA currently has authority to provide vocational rehabilitation services based on the rehabilitation needs of individuals. In addition, under section 3120 of Title 38, United States Code, VA is required to provide independent living programs first to Veterans for whom the reasonable feasibility of achieving a vocational goal is precluded solely as a result of a service-connected disability. Furthermore, income is not a factor used to determine VR&E services to be provided to Veterans. No costs would be associated with this section.

Section 6 of the draft bill would amend the definition of "serious employment handicap" in section 3101(7) of Title 38, United States Code, to mean a significant impairment resulting from the service-connected disability that is directly related to the Veteran's ability to prepare for, obtain, or retain employment consistent with the Veteran's abilities, aptitudes, and interests. The current definition requires that the employment handicap results in substantial part from a service-connected disability rated at least 10 percent disabling that significantly impairs the Veteran's ability to prepare for, obtain, or retain employment consistent with his/her abilities, aptitudes, and interests. A Veteran is currently entitled to chapter 31 services if the Veteran has a service-connected disability rated at 10 percent and is in need of rehabilitation because of a serious employment handicap as currently defined in section 3101(7). Under the legislation's new definition, for a Veteran to qualify for chapter 31 services based on a serious employment handicap, there must be a direct relation between the service-connected disability that causes the impairment and the Veteran's ability to prepare for, obtain, or retain employment. In contrast, under the current definition, the service-connected disability that causes the impairment need only be a "substantial" cause of the impairment for a Veteran to qualify for chapter 31 services based on a serious employment handicap.

VA cannot support this section as written because its meaning is not clear. VA is unable to determine whether the change in the current definition of "serious employment handicap" would establish entitlement to chapter 31 services for more or fewer Veterans. VA would be pleased to provide technical assistance to draft bill language that would ensure qualified Veterans receive necessary services. VA is unable to estimate costs that may be associated with this section.

H.R. 4038

H.R. 4038, the "Veterans Benefits Administration Information Technology Improvement Act of 2014," would make certain improvements in information technology to help VBA reduce redundancy and process claims more efficiently. Section 2 of H.R. 4038 would require the Secretary to ensure that all original and supplemental claims, for chapter 33 educational assistance, are adjudicated electronically, and that rules-based processing is used to make decisions on such claims with little human intervention. Section 2 would also require the Secretary to ensure that payments of subsistence allowance for Veterans participating in a chapter 31 rehabilitation program are processed and paid out of one corporate information technology system, and that the information technology system supports more accurate accounting of services and outcomes for Veterans participating in a chapter 31 rehabilitation program. The Secretary would also be required to submit a report to Congress on any changes made in information technology pursuant to section 2, but not later than 180 days after the date of enactment of this Act.

VA does not support this provision because VA needs the flexibility to prioritize information technology needs and resources based on the needs of the entire Department. VA has deployed 6

major releases for the Post-9/11 GI Bill Long-Term Solution (LTS), which provides an end-to-end claims processing system utilizing rules-based, industry-standard technologies for the delivery of education benefits. On September 24, 2012, end-to-end automation of select Post-9/11 GI Bill supplemental claims was activated in LTS. Since this deployment, over 4,600 claims are automatically processed per day with no human intervention. Approximately 80 percent of all Post-9/11 GI Bill supplemental claims are fully or partially automated. While VA has rules and automation for processing Post-9/11 GI Bill supplemental claims, VA would have to develop these mechanisms for original claims. Eligibility determinations for original Post-9/11 GI Bill claims are very labor-intensive. Currently, LTS is in a sustainment phase with limited development. VA would need development funding to enhance LTS with functionality to process all original and supplemental claims to the maximum extent practicable, with little human intervention. Original claims currently are being processed in an average of 19 days. VA would need a minimum of 24 months from receipt of funding to report on the changes made under this provision.

With respect to chapter 31, VA already has plans in place to ensure claims are processed and paid from one system and is actively planning for development of a new information technology case-management system for chapter 31 claims. VA is currently beta-testing a phased transition to one chapter 31 payment system using the Corporate Subsistence Allowance Module (SAM). This phased approach enables VA to minimize the risks associated with payments to Veterans during the transition. As with any phased system change, there will be a transition period in which some processing is accomplished in one system and some in another. It is unclear whether this provision of H.R. 4038 would restrict VA from continuing a phased approach for this transition, potentially adversely affecting services to Veterans. If beta-testing of CWINRS SAM continues as expected, national deployment is expected to begin by November 2014. VA is also validating the business requirements for a new information technology case-management system that will better reflect the business and data reporting needs of the chapter 31 program.

VA estimates that, if enacted, no benefits costs would be associated with H.R. 4038, however, VA estimates administrative costs to be $3 million, and information technology costs to be $30 million for section 2(a) and $15 million for section 2(b).

H.R. 4147

H.R. 4147, the "Student Veterans IT Upgrade Act," would require VA to submit to Congress a report regarding "the information technology system of the Department of Veterans Affairs that is used in connection with the administration of [VA] educational benefits . . . " The bill also references a plan "with respect to such system that was submitted to Congress prior to the date of the report," but VA is unclear to which plan the bill refers.

The bill uses the singular "system," but VA has a number of different systems related to separate educational benefits, many with differing rules and requirements.

H.R. 4147 also requires an annual briefing to be held by the Chief Information Officer and the Deputy Under Secretary for Economic Opportunity. We are unclear if this is in addition to annual reports.

VA, thus, does not support the bill as drafted, but recommends we discuss with Committee staff the specific areas of interest. The Department will be glad to provide information on those areas of interest, once identified.

H.R. 4151

H.R. 4151, the "Veterans Education Survey Act of 2014," would require VA to work with a private contractor to administer a survey to individuals who have used or are using VA education benefits under chapters 30, 32, 33, and 35 of Title 38, United States Code. The survey would collect the following information:

- Demographic information to include:
  - The highest level of education completed by the individual;
  - The military occupational specialty or specialties performed by the individual while they were serving in the armed forces; and
  - Whether the individual has a service-connected disability.
- The individual's opinion of the Transition Assistance Program (TAP), as well as the effectiveness of TAP, including the instruction on how to use VA education benefits.
- The resources the individual used to support the decision to go to school using his/her VA education benefits.
- The resources used to decide on the program of study in which to enroll.
- The individual's goal when he/she enrolled in the program of education.
- The nature of the individual's experience using VA's education benefits computer-processing systems.
- The nature of the individual's experience working with the certifying official at his/her school.
- Services or benefits provided by the school to the Veteran.
- Type of educational institution the individual attended.
- Whether the individual completed his/her program of study, how many credit hours he/she completed, and any degrees or certificates he/she obtained.
- The employment status of the individual and whether his/her employment status was different prior to starting the program of study.
- Whether the individual was enrolled on a full-time or part-time basis.
- The individual's opinion on the effectiveness of VA's benefits program he/she used to complete the program of study.
- Whether the individual was ever entitled to or used a rehabilitation program under chapter 31.
- Any other matters VA determines appropriate.

The survey would be conducted electronically and by any other means the contracting agency deems appropriate.

H.R. 4151 would require VA to enter into a contract not later than 180 days after enactment of this Act, and the survey would be completed 180 days after VA enters into the contract. The sur-

vey would be submitted to the Senate and House Committees on Veterans' Affairs not later than 1 month before the survey is administered. VA would submit a report to Congress not later than 90 days after completion of the survey, as well as any recommendations related to the results of the survey. VA would also submit an unedited version of the results of the survey.

While VA supports the intent behind this legislation, the Benefits Assistance Service (BAS) is currently administering a similar survey with the help of a private contractor, J.D. Power and Associates. BAS expects to receive fiscal year to date results from the survey by September 30, 2014. The current survey collects much of the information required by this bill, although the survey would need to be modified to include questions about military occupational specialty; whether the Veteran has a service-connected disability; the effectiveness of TAP; the Veteran's experience with the school certifying official; the effectiveness of the Veteran's program of study; the Veteran's experience with VA's computer systems; and whether the Veteran has eligibility under VA's chapter 31 vocational rehabilitation program.

To prevent duplication of work, VA would investigate the feasibility of combining the requirements in H.R. 4151 with VA's current survey within available resources and would work with the Office of Management and Budget to change the survey in accordance with the Paperwork Reduction Act as appropriate. VA would save expenditures by using the currently existing survey, as opposed to starting the process from the beginning. VA expects to receive fiscal year to date results from the current survey by September 30, 2014. VA would need 1 year from the date of enactment to complete the required survey.

VA estimates that, should H.R. 4151 be enacted, General Operating Expenses (GOE) would be $263,000 to enter into a contract with a non-Government entity to create a new survey of a statistically-valid sample of individuals who have used or are using educational assistance under chapters 30, 32, 33, and 35 of Title 38, United States Code. Alternatively, to incorporate the additional questions into the existing survey, GOE are estimated to be $106,000.

Mr. Chairman, this concludes my statement. Thank you for the opportunity to appear before you today. I would be pleased to respond to questions you or other Members of the Subcommittee may have regarding our views as presented.

PREPARED STATEMENT OF KEITH KELLY

Introduction

Good afternoon, Chairman Flores, Ranking Member Takano, and distinguished Members of the Subcommittee. As the Assistant Secretary for Veterans' Employment and Training Service (VETS) at the Department of Labor (DOL or Department), I am honored to testify before you. I am accompanied today by the Department's Chief Evaluation Officer, Demetra Nightingale.

Thank you for the opportunity to provide the Department's views on pending legislation and for your continuing support of our Na-

tion's veterans, transitioning service members, and their families. The Department will continue to work with the Members of the Committee to ensure that the men and women who serve this country have the employment support, assistance, and opportunities they need and deserve to succeed in the civilian workforce.

While this hearing is focused on numerous bills pending before the Subcommittee, I will limit my remarks to those pieces of legislation that have a direct impact on DOL, including: H.R. 3614, the Military Skills to Careers Act; and H.R. 4150, the Veterans Employment and Training Service Longitudinal Study Act of 2014. DOL respectfully defers to the Department of Veterans Affairs (VA) on the remaining pieces of legislation.

H.R. 3614—The Military Skills to Careers Act

The first piece of legislation that I will address is H.R. 3614, the Military Skills to Careers Act. H.R. 3614 would require that a State establish a program under which the State administers an examination and issues a license or credential to a veteran, without requiring any training or apprenticeship, if the veteran: (1) Receives a satisfactory score on the relevant State examination; (2) has been awarded a military occupational specialty that is substantially equivalent to, or exceeds, the State requirements; (3) has engaged in the occupation for at least two of the five preceding years; and (4) pays any fees required by the State. H.R. 3614 would require the State to establish such a program as a condition of a contract or grant from DOL to hire and support Disabled Veterans' Outreach Program (DVOP) Specialists or Local Veterans' Employment Representatives (LVERs).

Each State would be required to submit a description of the results of the exams administered to the Secretary of Labor (Secretary), who would summarize those results in a report to Congress and the Secretary of Defense at least once a year. H.R. 3614 would also allow the Secretary to waive the requirement to establish such a program if the State certifies that, in issuing licenses or credentials, the State: (1) Takes into account previous military training; (2) permits veterans to completely satisfy, through examination, any training or testing requirements for which a veteran has previously completed military training; and (3) for any credential or license for which a veteran is unable to completely satisfy such requirements through examination, substantially reduces the required training time based on the military training received by the veteran.

The Department supports the intent of H.R. 3614 and looks forward to working with Members of Congress to ensure that separating service members and veterans are able to successfully translate their military training and experience to civilian occupations. DOL also supports efforts to encourage States to apply consistent measures when awarding credit for military training and experience towards certain occupational licensing requirements. Greater uniformity will help enable a comparison of military training and experience to nationwide requirements for licensure.

However, withholding funding that supports DVOP and LVER staff is not the right approach to achieve this goal. That approach could have the unintended consequence of penalizing veterans and

States who rely on these critical personnel to help them attain employment. A better and more practical approach would be to provide assistance to States that are working hard to make progress in streamlining licensing and credentialing processes for veterans and disseminate best practices to other States. At the same time, States should continue to be funded by DOL to employ veteran-employment specialists to provide services to veterans and conduct outreach to employers to encourage the hiring of veterans.

In addition, the Department is concerned that, by including all licenses and credentials issued by a State, H.R. 3614, as currently drafted, is overly broad. Some States issue hundreds of different licenses and credentials. For instance, Illinois has close to 400 different occupational licenses and California has 350 occupational licenses. In fact, more than half of the States, thirty-four of them, have over 100 different occupational licenses. As a result, the administrative burdens could be significant. Moreover, State licensing boards use a variety of mechanisms and methods that are specific to each industry and State in establishing licensing criteria. As a result, DOL recommends that the legislation authorize DOL to provide Technical Assistance to assist the States and to establish any necessary reporting systems.

The majority of States have adopted legislation aimed at supporting service members who seek to qualify for licenses and credentials based on their military education, training, and experience. There are a variety of different legislative and regulatory approaches that have been adopted and proved successful in different States. The Administration will continue to work with States to develop and implement solutions that work at the State and Federal level to assist veterans.

The Department, in collaboration with the Department of Defense, has been working with States to help improve their licensing and certification practices. Two such projects are currently under way: one to analyze and compare transferable skills from military training to civilian credentials for a set of key military occupations; and a second to provide information and technical support to selected States to award credit for military training and experience toward State occupational licensing requirements. The latter demonstration project provides assistance to efforts in 6 States to facilitate and accelerate licensing of veterans for selected occupations (EMT/Paramedic; Licensed Practical Nurse; Physical Therapy Assistant; Registered Nurse; Police Patrol Officer; and Commercial Bus and Truck Drivers).

We note that the Department of Transportation (DOT) has worked with the States to obtain a waiver of the road test for veterans, to facilitate the process of obtaining Commercial Driver's Licenses. DOT also has responsibilities for Emergency Medical Service occupations although other health occupations would be relevant to the Department of Health and Human Services. Results and promising practices will be disseminated to assist the efforts of other States. We look forward to sharing the results of the Department of Labor efforts with the Committee as they become available.

H.R. 4150—The Veterans Employment and Training Service Longitudinal Study Act

H.R. 4150, the Veterans Employment and Training Service Longitudinal Study Act of 2014, would direct the Secretary to enter into a contract with a non-government entity to conduct a statistically valid longitudinal study of veterans and the job counseling, training, and placement services for veterans provided by the Department. In addition, H.R. 4150 would give the Secretary access to the National Directory of New Hires information.

I'll first note the provision that would make the National Directory of New Hires available to the Secretary. At this time, DOL does not have authority to readily access earnings data nationally, and for that reason, we strongly support the provision. Without such authority, the process of obtaining earnings data involves timely and costly negotiation with States and significant delays in studies often occur. The Department looks forward to working with the Committee to provide technical assistance. In particular, the Department recommends that the legislation amend Section 453(j) of the Social Security Act to provide DOL the same authority to access the NDNH that other Federal agencies currently have.

The Department also looks forward to conducting the type of longitudinal study called for in the legislation. The Department welcomes the opportunity to have a survey to better understand the impact of our services on the employment outcomes of veterans. We look forward to working with the Committee to ensure that the legislation, and the resulting study, is appropriately crafted.

The Bill calls for a survey of the following groups: (1) Veterans who received intensive services through the Department's programs; (2) veterans who received services but did not get an intensive service; and (3) veterans who did not seek or receive services from the Department's programs. The study could be done by either following the same cohorts of individuals within each group over five years or conducting a survey sample of these three groups of veterans each year. Under both approaches, the Department recommends a mixed-method study that uses a combination of administrative data and surveys.

Based on DOL's conversations with Congressional staff, we understand that the intent of this legislation is to create a longitudinal study of the same veterans in each of these three groups over five years. Therefore, a survey would be the primary source of information. A nationally representative sample of individuals in the three groups would be surveyed each year over the course of the study, starting in year two. This type of study would assess the short-, medium-, and long-term outcomes of veterans, based on their responses to questions about whether they had received these services at specific times and would follow up on their employment, educational activities, income, and other meaningful measures of well-being.

The survey would also ask veterans their opinions about the services they sought or received. A complementary statistical analysis of program administrative data could be done to analyze the characteristics of veterans served in the programs and their outcomes, although it may not be possible to directly link the program data to the longitudinal survey. The Department would provide yearly reports to Congress on the outcomes of the three cohorts of

individuals in the survey beginning after the first year during which the survey will be developed and tested.

Another approach would be to create a cross-sectional study that looks at a representative sample of veterans each year for each of the three groups. This type of study would require a slightly different mixed-method approach. The characteristics and outcomes of veterans would come from program administrative data and a survey would be conducted periodically, say every two years, of samples of veterans in each of the groups. Again, the survey would include questions about the veteran's use of services and their opinions of the usefulness of the services they received. In this type of study, it may be possible to link administrative program earnings data to the survey data for a richer analysis. We would deliver results to Congress each year, based on the data-collection schedule.

Either approach to the survey has challenges that could affect the timeline for reports to Congress. The Department would need to determine whether it can obtain reliable contact information to draw a representative sample from each group in a timely manner, and whether the sample should select from the entire nation or from selected States. Access to the National Directory of New Hires and cooperation from States and partner agencies with necessary information will be essential.

The estimated cost of the study is $10 million. This cost includes a longitudinal study of outcomes across the above dimensions for five years as well as three surveys of the same 12,000 veterans, 4,000 in each group, over the course of the study. The cost also includes the production of yearly reports to Congress, as well as a larger report that includes the results of the survey.

The Department believes that this type of study could be a tremendous opportunity to learn about the impact of the Department's services for veterans. By studying the three groups of veterans over time, the Department could obtain more complete data on the long-term outcomes of veterans who receive services from the Department and the key factors influencing those outcomes. In addition, the study would allow the Department to examine trends in program satisfaction and the long term employment and standard of living outcomes. The results would allow the Department to better tailor services to services to assist veterans with their immediate and long-term employment needs.

Conclusion

Mr. Chairman, Ranking Member Takano, and Members of the Subcommittee, this concludes my Statement. Thank you again for the opportunity to testify today on these Bills. I am pleased to answer any questions you may have.

PREPARED STATEMENT OF STEVE GONZALEZ

Chairman Flores, Ranking Member Takano and distinguished Members of the Subcommittee, on behalf of National Commander Dan Dellinger and the 2.4 million members of The American Legion, we thank you and your colleagues for the work you do in support of our service members and veterans as well as their families. The hard work of this Subcommittee in creating significant legisla-

tion has left a positive impact on our military and veterans' community.

H.R. 2942

To amend Title 38, United States Code, to reestablish the Professional Certification and Licensure Advisory Committee of the Department of Veterans Affairs.

For the past fifteen years, The American Legion has been working with both Federal and State lawmakers, as well as industry leaders, to streamline the military-to-civilian licensing and certification process. Our research has shown that licensing and certification (credentialing) requirements for civilian employment pose a barrier to a smooth transition from military service to civilian employment.

At our 2012 National Convention, The American Legion passed Resolution No. 326: Support Licensure and Certification of Active-Duty and Selected Reserve Personnel,[1] which mandates support for efforts to eliminate employment barriers that impede the timely and successful transfer of military job skills to the civilian labor market. Enactment of legislation to reestablish the Professional Certification and Licensure Advisory Committee (PCLAC) will benefit service members, as well as those who eventually employ veterans in the civilian work-force easing the placement of qualified veterans in civilian careers, and matching civilian employers with skilled veteran employees. The Department of Veteran Affairs (VA) currently lacks subject matter experts that can provide knowledgeable recommendations to improve VA's licensing and certification, improve the quality of State Approving Agency (SAA) approval process, review applications used by the SAA's, and develop and update material on licensing and certification for use in training SAA staff.

Therefore, The American Legion believes that it is extremely important that the PCLAC be reauthorized. It will bring in those subject matter experts to assist VA where they lack expertise in assessing certification and licensing programs, as well as assisting in the development of new material to support SAA's in the field.

Legislative gains in veteran licensing and credentialing have been made with the passage the Legion-supported Veteran Skills to Jobs Act. However, its more work to be done, and as such, The American Legion believes there is a definite need to resume this independent body with expertise in matters relating to licensing and credentialing which can present new solutions to VA's senior leadership and congressional members as well as other stakeholders.

The American Legion strongly supports H.R. 2942.

H.R. 3056: Warriors' Peer-Outreach Pilot Program Act

To direct the Secretary of Veterans Affairs to carry out a pilot program on the provision of outreach and support services to veterans pursuing higher education under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

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[1] The American Legion, "Resolution No. 326: Support Licensure and Certification of Active-Duty and Reserve Personnel", Ninety-Fourth National Convention of The American Legion, Indianapolis, Indiana, August 28 – 30, 2012, *http://archive.legion.org/bitstream/handle/123456789/2195/2012N326.pdf?sequence=1* (accessed March 10, 2014).

The American Legion applauds Representative Takano and his colleagues for their work in support of America's service members, veterans, and their families, and for introducing this legislation. However, The American Legion has several concerns with H.R. 3056, Warriors' Peer-Outreach Pilot Program Act: (1) The commissioning of the pilot on only three college campuses; (2) the possibility of funding being diverted from existing programs, such as VetSuccess on Campus (VSOC), that are already providing such services; (3) the possibility of redundancy.

The American Legion believes strongly in the power of peer-to-peer support, and has called for the development of peer-to-peer rehabilitation programs, in Resolution No. 136, passed at the 2012 National Convention. Similarly, The American Legion recognizes the impact that peer-to-peer support has had on currently attending service member and veteran students throughout all levels and types of institutions of higher learning (IHL). This impact has been evident through the creation of American Legion posts on college campuses[2] across spectrum of IHL. The American Legion has collaborated closely with our partners in the VSO community and Department of Veterans Affairs on the state and local levels in an effort to bring peer-to-peer support to currently enrolled students.

The Department of Veterans Affairs has commissioned VSOC to provide a cross-cutting system designed to serve student veterans attending college or university. One of VSOC mandates is to provide "peer-to-peer counseling"[3] to those servicemembers and veterans currently enrolled in college. VOSC began as a pilot program in 2009 at the University of South Florida, and by fiscal year 2013, had expanded to a total of 94 sites.[4] The American Legion through Resolution No. 27: *Veterans GI Bill Education Improvement*[5] believes that Congress should look to existing programs like VSOC, in order to ensure that we maximize this success and improve what has already been accomplished through VSOC, rather than creating new pilot programs that can have an adverse impact on the success of such VA existing programs.

To properly reflect the diverse experiences of veterans in higher education and to produce a quality report on the success of peer support in higher education, The American Legion recommends examining and assessing VSOC's existing peer-to-peer services, and IHLs that already have a successful peer support program. This will give policymakers the opportunity to assess the existing programs' barriers and to formulate solutions.

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[2] List of American Legion Posts on college campus: University Veterans Post 360, Indiana University-Purdue University Indianapolis (IUPUI), Indiana; NDSU Post 400, North Dakota State University in Fargo, North Dakota; Florida Post 397, Hodges University, Florida; Lance Corporal Andrew "Andy" Nowacki Post 807, Lake Erie College, Ohio; Colorado State University-Pueblo American Legion Post, CSU–Pueblo, Colorado; Saddleback Valley American Legion Post 862, Saddleback College, California; and UND Post 401, University of North Dakota, North Dakota).

[3] United States Department of Veterans Affairs, "Welcome to VetSuccess.VA.GOV", *https://www.vetsuccess.va.gov/public/vetsuccess-on-campus.html* (access March 16).

[4] Ibid. For a complete list of VSOC locations and VSOC Counselor contact information can be found at the following link: VetSuccess on Campus Locations and Contacts.

[5] The American Legion, "Resolution No. 27: Veterans GI Bill Education", Ninety-Fourth National Convention of The American Legion, National Executive Committee of The American Legion, Indianapolis, Indiana, October 16 – 17, 2013, *http://archive.legion.org/bitstream/handle/123456789/2760/2013F027.pdf?sequence=1* (accessed March 15, 2014).

The American Legion looks forward to working with Rep. Takano and the subcommittee to improve peer-to-peer programs through existing initiatives.

The American Legion does not support H.R. 3056 in its current form.

H.R. 3614: Military Skills to Careers Act

To amend Title 38, United States Code, to improve the recognition by States of skills learned in the military by a veteran when issuing licenses and credentials.

The American Legion's Resolution No. 52: Support Legislation that Would Return Disabled Veterans' Outreach Program (DVOP) and Local Veterans' Employment Representative (LVER) Funding to a Staffing Grant holds that we "support action that would require the Congress through the Secretary of Labor to ensure that each workforce center in the various states offering labor exchange services have sufficient funding to provide at least one DVOP/LVER staff to provide services to all veterans requiring employment and training assistance residing within the state".[6] As such, The American Legion cannot support any legislation which would withhold funding to these programs, even as a penalty.

The American Legion does not support H.R. 3614 as written.

H.R. 4031: Department of Veterans Affairs Management Accountability Act of 2014

To amend Title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

The past several years have seen a growing number of instances of troubled management within VA facilities, with little visible administrative action taken by VA Central Office (VACO) to address those responsible for the actions in question. Whether the incidents were "negligence and mismanagement by Mental Health Service Line (MHSL) leadership [that] contributed to the death of a Mental Health (MH) unit inpatient at the Atlanta VA Medical Center",[7] or the more widely publicized incident in the Pittsburgh, PA VA Medical System where VA officials knew "for more than a year it had an outbreak of Legionnaires' disease, but failed to warn patients",[8] the response, or lack of transparent response has been consistent. The claims side of the picture is no better, with service center managers at VA receiving large bonuses and accolades despite presiding over Regional Offices that have seen backlog figures soar to double or more the previous figures, even in the midst of a concerted effort by VA to finally tame and eliminate the backlog. When leadership in these positions fails, there are little to no consequences apparent to outside observers. Veterans need to have confidence that the system will correct itself and weed out those

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[6] The American Legion, "Resolution No. 52: Support Legislation that Would Return Disabled Veterans' Outreach Program (DVOP) and Local Veterans' Employment Representative (LVER) Funding to a Staffing Grant", Ninety-Fourth National Convention of The American Legion, National Executive Committee of The American Legion, Indianapolis, Indiana, October 16–17, 2013, *http://archive.legion.org/bitstream/handle/123456789/2213/2012N052.pdf?sequence=1* (accessed March 15, 2014).

[7] Department of Veterans Affairs Office of the Inspector General Report No. 12-03869-179 "Healthcare Inspection: Mismanagement of Inpatient Mental Health Care Atlanta VA Medical Center Decatur, GA-APR 2013.

[8] *http://www.cbsnews.com/news/va-hospital-knew-human-error-caused-legionnaires-outbrea/k*

outliers contributing to a lack of confidence in the VA, an institution ostensibly created to serve veterans. This legislation gives the Secretary the authority needed to effectively run the Department.

The American Legion is deeply concerned with the lack of accountability within the VA. This legislation would provide tools to the Secretary of Veterans Affairs to better manage Senior Executive Service employees, and hold them accountable when they fail to perform their duties in a manner that better serves the veterans entrusted to their care.

When veterans see a Regional Office losing ground and wait times increasing in the fight to reduce the claims backlog, they grow frustrated when leadership continues as if nothing was wrong. When veterans see mismanagement practices in their healthcare system that put patient health at risk, veterans want to see leadership change to show a commitment from the top down that says their health and safety are the top priority of VA. This bill gives the Secretary of Veterans Affairs the tools he needs to help convey that message back to veterans and help ensure veterans have faith and trust in the systems designed to provide health care to them and to care for their wounds of war.

The American Legion supports H.R. 4031.

H.R. 4037: Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014

To amend Title 38, United States Code, to make certain improvements in the law administered by the Secretary of Veterans Affairs relating to training and rehabilitation for veterans with service-connected disabilities, and for other purposes.

At this time, The American Legion does not have an official position regarding H.R. 4037. The American Legion's goal is to ensure that veterans who incur an injury, illness or disability during military service can properly receive quality assistance in obtaining suitable employment once they leave the Armed Forces. Therefore, as a general Legion policy, any legislation passed that modifies the current rules for eligibility or priority in a federal veteran program, should also ensure that successful comparable programs are available to those veterans who find themselves no longer eligible.

The American Legion does not have a resolution or position on H.R. 4037.

H.R. 4038: Veterans Benefits Administration Information Technology Act of 2014

To direct the Secretary of Veterans Affairs to make certain improvements in the information technology of the Veterans Benefits Administration of the Department of Veterans Affairs to process claims more efficiently, and for other purposes.

Currently, veterans apply for enrollment in the U.S. Department of Veterans Affairs (VA), Vocational Rehabilitation and Employment (VR&E) through a combination of manual processes and IT systems. It is true that the VA's handling of education benefits claims seems to be generally successful, with $27 billion in benefits already provided nationally since 2009 to about 938,000 veterans, service members, and their families.

However, The American Legion believes that in order to ensure the continued success of the delivery of education benefits, and ac-

curately track the outcomes of VA's VR&E program, VA will need to maximize the usage of paperless IT systems, and be proactive in this area to prevent any kind of backlog such as has been seen with disability claims.

The American Legion supports the passage of H.R. 4038.

H.R. 4147: Student Veterans IT Upgrade Act

To direct the Chief Information Officer of the Department of Veterans Affairs and the Deputy Under Secretary of Veterans Affairs for Economic Opportunity to submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding the information technology of the Department that is used in administering the educational benefits administered by the Secretary of Veterans Affairs, and for other purposes.

The Veterans Benefits Administration (VBA), one of U.S. Department of Veterans Affairs (VA) three line administrations,[9] provides assistance and benefits, such as educational assistance, through four veterans' regional processing offices.[10] According to a U.S. Department of Veterans Affairs Education Program Beneficiaries report released January 10, 2014,[11] twenty-three states account for 80% of VBA beneficiaries' workload with a 42% increase in VBA beneficiaries' workload from 2009 to 2010 due in part to the Post-9/11 GI Bill program being fully implemented.

Prior to the passage of the Post-9/11 Veterans Educational Assistance Act of 2008, better known as the Post-9/11 GI Bill, VA delivered education benefits by relying on a combination of manual processes and legacy IT systems. However, the department also determined at that time that its legacy systems were insufficient to support the demands for processing the new benefit. This report will allow policymakers to assess the status of the system, the plan of the system, the plan of action with regard to the finalization of the system, and the anticipated cost. Under The American Legion's Resolution No. 27: Veterans GI Bill Education,[12] we support the passage of H.R. 4147.

The American Legion supports the passage of H.R. 4147.

H.R. 4150: Veterans Employment and Training Service Longitudinal Study Act of 2014

To amend Title 38, United States Code, to direct the Secretary of Labor to enter into a contract for the conduct of a longitudinal study of the job counseling, training, and placement services for veterans provided by the Secretary, and for other purposes.

The American Legion through Resolution No. 304: Support Full Funding and Staffing for the Veterans Employment and Training Services (VETS)[13] has long championed full funding and staffing

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[9] VA's two other line administrations are the Veterans Health Administration and the National Cemetery Administration.

[10] The regional processing offices are located in Atlanta, Georgia; Buffalo, New York; Muskogee, Oklahoma; and St. Louis, Missouri.

[11] National Center for Veterans Analysis and Statistics, "Education Program Beneficiaries", U.S. Department of Veterans Affairs, January 2014, *http://www.va.gov/VETDATA/docs/QuickFacts/Education-Beneficiaries.pdf* (accessed March 18, 2014).

[12] The American Legion through "Resolution No. 27: *Veterans GI Bill Education* Ninety-Fourth National Convention of The American Legion, National Executive Committee of The American Legion, Indianapolis, Indiana, October 16–17, 2013, *http://archive.legion.org/bitstream/handle/123456789/2760/2013F027.pdf?sequence=1* (accessed March 15, 2014).

[13] The American Legion, "Resolution No. 304: Support Full Funding and Staffing for the Veterans Employment and Training Services (VETS)", Ninety-Fourth National Convention of The

for the Department of Labor's Veterans Employment and Training (VETS) program, and believes that collecting data and resetting performance metrics is integral to the wise stewardship of a program.

According to a Government Accountability Office (GAO) report entitled, "Veterans' Employment and Training, Better Targeting, Coordinating, and Reporting Needed to Enhance Program Effectiveness", it is estimated that the Federal government spends around $1.2 billion on 6 veterans' employment and training programs, two of which are Disabled Veterans' Outreach Program (DVOP) and Local Veterans' Employment Representatives (LVER), which serve about 888,000 participants.[14] The Department of Labor (DOL) has yet to conduct impact evaluations that assess their program effectiveness to determine whether outcomes are attributable to program participation of veterans and not other factors. As a result, Congress and other key stakeholders lack essential information needed to assess each program performance.

Crucial to properly administering the DVOP and LVER employment services is collection and analysis of past performance data in order to gauge the effectiveness of federally-funded programs and services which the states administer. DOL's inability to gauge the results and effectiveness of their own programs, as well as their inadequate oversight of performance measure at the state level, is cause for concern of accountability.

The American Legion enjoys the unique benefit of having a large contingent of members who are DVOPs and LVERs and who sit on various commissions and councils which advise The American Legion with regard to policy. Based on testimony supplied by these members, The American Legion believes a longitudinal study conducted by a third party would help to identify lapses in program stewardship and will allow DOL–VETS to make improvements to existing programs and services. The American Legion supports the 'Veterans Employment and Training Service Longitudinal Study Act of 2014.'

The American Legion supports H.R. 4150.

H.R. 4151: Veterans Education Survey Act of 2014

To direct the Secretary of Veterans Affairs to enter into a contract with a non-government entity to conduct a survey of individuals who have used or are using their entitlement to educational assistance under the educational assistance programs administered by the Secretary of Veterans Affairs, and for other purposes.

In 2012, the Department of Veterans Affairs has dispersed nearly $11 billion of VA education benefits to almost 1 million veterans.[15] Since the 2009 implementation of the Post-9/11 GI Bill, education benefits have significantly increased for service members, veterans, and their families. The Post-9/11 GI Bill provides payments for tuition and fees at accredited institutions of higher learning (IHL), as

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American Legion, Indianapolis, Indiana, August 28–30, 2012, *http://archive.legion.org/bitstream/handle/123456789/2171/2012N304.pdf?sequence=1* (accessed March 10, 2014).

[14] United States Government Accountability Office (GAO), "Veterans' Employment and Training, Better Targeting, Coordinating, and Reporting Needed to Enhance Program Effectiveness", December 2012, *http://www.gao.gov/assets/660/650876.pdf* (accessed March 16, 2014).

[15] United States Government Accountability Office (GAO), "VA Education Benefits: Student Characteristics and Outcomes Vary across Schools", July 25, 2013, *http://www.gao.gov/products/gao-13-567* (accessed March 17, 2014).

well as disbursing a separate payment for housing expenses and a stipend for books. The VA's education and training benefits are intended to provide resources which afford opportunities to veterans which they may have missed due to his or her military service, and to ease transition from military service to the civilian workforce.

Despite this huge expenditure of funds, the VA has yet to conduct an impact survey and/or study to evaluate the experiences of those individuals using the GI Bill benefit, in order to evaluate how such a robust benefit has impacted the lives of veterans who are transitioning from the military to civilian life. Such an assessment would ascertain the return-on-investment for policymakers, advocates, and taxpayers. The American Legion, as author of the Serviceman's Readjustment Act of 1944, known as the GI Bill, continues to take a great interest in veteran education benefits, and as such, supports H.R. 4151 through Resolution No. 27: Veterans GI Bill Education[16] as sound legislation which will help to ensure that we are able to examine the extent to which this benefit provides effective transitioning tools to service members and veterans.

The American Legion supports H.R. 4151.

The American Legion appreciates the opportunity to comment on the Bills being considered by the Subcommittee. I would be happy to answer any questions you might have. Thank you.

PREPARED STATEMENT OF PETER B. HEGSETH

Chairman Flores, Ranking Member Takano, and Members of the Committee, thank you for the opportunity to be here today. It's a privilege to take part in these proceedings.

My name is Pete Hegseth and I am the Chief Executive Officer for Concerned Veterans for America, an organization of veterans and military families dedicated to fighting for the freedom and prosperity here at home that we fought for while in uniform. Our organization represents a growing number of veterans, military families, and concerned Americans—young and old—who refuse to accept the status quo in Washington, especially as it pertains to our veterans, our military, and our country's fiscal future.

I received my commission from Princeton University in 2003, and have served three tours with the U.S. Army since 9/11; first at Guantanamo Bay, Cuba, second in Iraq, and most recently in Afghanistan. I'm currently an infantry Captain in the Minnesota Army National Guard, and recently graduated with a Masters in Public Policy from Harvard University's John F. Kennedy School of Government. I'm before this committee today as a veterans advocate, and certainly do not purport to speak on behalf of the military.

I am speaking, however, on behalf of the membership of Concerned Veterans for America—and every veteran, and their supportive families, who feel like second-class citizens in their own system. I'm here for every veteran who has waited and waited and waited for disability claims resolution, only to be denied and thrown into an even longer appeals backlog. For every veteran who

[16] The American Legion, "Resolution No. 27: Veterans GI Bill Education", Ninety-Fourth National Convention of The American Legion, National Executive Committee of The American Legion, Indianapolis, Indiana, October 16 – 17, 2013, *http://archive.legion.org/bitstream/handle/123456789/2760/2013F027.pdf?sequence=1* (accessed March 15, 2014).

calls a VA hotline, and then sits on hold for hours. For every veteran who waits days, weeks, and even months for basic health care appointments. For every veteran who receives sub-standard care because, through no fault of their own, they live near a poorly-run VA facility. And, tragically, I'm here for every veteran who passed away because they didn't receive the care they needed when they needed it. You've seen the stories. I've seen the stories. And it's long overdue that things change at the Department of Veterans Affairs. It's time for accountability. It's time for transparency. And it's time for results.

This context and these stories motivate my testimony today, as well as my organization's full support of House Resolution 4031, the Department of Veterans Affairs Management Accountability Act of 2014. No sober observer of VA's track record, especially in the past few years, can look you, me—or any veteran—in the eye and defend the status quo. The status quo is unacceptable—and everyone knows it; especially those who access, or I should say attempt-to-access, VA's impenetrable, unaccountable, and woefully ineffective bureaucracy.

This situation, of course, is not for a lack of trying. The Obama administration, this committee, legislators from both sides of the aisle, and traditional Veterans Service Organizations—of which I am a member—have made very well-intentioned and repeated attempts to make VA work. Everyone wants to help veterans; there is no doubt about that. For years, and understandably so, the overwhelming answer has been to spend more money, hire more staff, and fund more programs.

As Secretary Shinseki says repeatedly, VA has all the resources it needs. Since 2009, VA's budget has increased by over $66 billion, or 67%. But what VA and its army of advocates will not admit publicly is that VA's problems have nothing to do with money—and everything to do with a calcified culture of mediocrity, as opposed to a dynamic culture of excellence. At VA, nearly all employee performance is rewarded (regardless of outcomes), poor employee performance is routinely ignored (or covered up), and veterans are left holding the bag—wanting and waiting.

What we have today is a VA that is really good at serving and protecting managers, staff, and bureaucrats—and not so good at actually serving veterans. Omar Bradley, of World War II fame and former VA administrator, once said, "We are dealing with veterans, not procedures; with their problems, not ours." Bradley's creed has been turned on its head; today's VA is the exact opposite. VA is obsessed with procedure, and so engulfed in it's own cultural problems, that they're not serving veterans they way our nation expects.

I'm not saying VA leadership, managers, and bureaucrats are bad people—they're not, and they're certainly not the enemy. Many of them are veterans, and many of them do an excellent job. But with any bureaucracy, over time, institutional incentives can distort human behavior in ways that become self-serving and process-driven, as opposed to customer-service focused and outcome-driven. This has clearly happened at VA—as not a single senior VA manager has been fired under this administration. Not one. Tell me this, if basic accountability is not enforced at the top, how can in-

centives—and therefore behavior—be corrected throughout the organization?

That is what H.R. 4031 seeks to combat, providing the VA Secretary with the tools necessary to bend the incentive curve. The Bill would simply empower the VA Secretary to fire underperforming managers, specifically members of VA's Senior Executive Service. These are the folks who run the hospitals, lead regional offices, and run entire departments. The ability to cut through redtape, and actually fired bad managers, is the very same power the Secretary of Defense enjoys—which Secretary Gates used quite effectively in cleaning up the 2007 mess at Walter Reed. Why should the VA Secretary not have the same tools?

Of course, VA opposes this reform measure—and is peddling their own, watered down versions. That's to be expected, as it's rare that any bureaucracy would demand more accountability for itself. Some in Washington also deride the Bill as an issue of "employee rights." They argue that H.R. 4031 would eliminate key employment protections and undermine existing civil service rules.

Critics may frame the issue as a matter of employee rights, but what "rights" are they defending? The "right" of a poor performing VA executives to continue failing at their jobs, at great cost to veterans, their families and the taxpayers? The "right" of VA employees to retaliate against whistle-blowers who report problems plaguing the department? Or the "right" to grant—and accept—extravagant bonuses for employees when VA's performance is failing? It takes a very expansive understanding of "employee rights" to oppose this Bill on those grounds.

Far from being an attack on dedicated public servants, H.R. 4031 would instead empower them. By bringing greater accountability to an underperforming organization, this Bill would bolster the best employees, while sending a clear signal to poor performers that results matter. If anything, these reforms will finally attract reform-minded leaders to VA, where they are desperately needed.

The key question before this committee—and this Congress—is simple: who will you stand with? Underperforming bureaucrats who can't be fired? Or veterans who are underserved? The answer to that question is crystal clear. I urge you to consider this question as you consider H.R. 4031. Thank you for the opportunity to address this important topic, and I welcome your questions.

STATEMENT OF RYAN M. GALLUCCI

With Respect to H.R. 2942, H.R. 3056, H.R. 3614, H.R. 4031, H.R. 4037, H.R. 4038, H.R. 4147, H.R. 4151, and a draft Bill entitled the "Veterans Employment and Training Service Longitudinal Study Act of 2014"

Chairman Flores, Ranking Member Takano and members of the Subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I want to thank you for the opportunity to present the VFW's stance on legislation pending before this Subcommittee.

With deep proposed reductions in the military's active duty force, the VFW believes that offering quality transitional, educational

and career-development opportunities for the men and women slated to leave military service remains a national imperative.

We thank this committee for its hard work in the first session of the 113th Congress moving critical legislation to make this possible—particularly the recently-passed in-state tuition protection for college-bound veterans. The VFW encourages you to continue your bipartisan work to improve civilian training and career opportunities for our veterans, and we look forward to working with you to accomplish this critical mission.

H.R. 2942, to amend Title 38, United States Code, to reestablish the Professional Certification and Licensure Advisory Committee of the Department of Veterans Affairs

The VFW supports Ms. Kirkpatrick's Bill, which will extend a critical advisory committee on professional licenses and certifications for the Department of Veterans Affairs (VA). At a time when the Department of Labor anticipates a significant influx of veterans into the civilian workforce, VA must have the ability to evaluate professional licenses and certifications for which veterans may choose to use their earned education benefits. This advisory committee provides critical expertise to VA with which to evaluate professional licenses and credentials.

The VFW has long acknowledged that not all veterans entitled to VA education benefits will choose to use those benefits for a traditional college degree. This is why we fully support allowing veterans to use these benefits for relevant professional training, as well as licensure and certification evaluations that will lead to quality careers.

H.R. 3056, Warriors' Peer-Outreach Pilot Program Act

The VFW supports Rep. Takano's efforts to better understand the positive impact of peer support for student veterans going back to college. However, we have concerns over this Bill's proposal to commission a pilot program on peer-to-peer support for student veterans.

The VFW already believes that peer support works and we believe this can be demonstrated through the rapid growth of nearly 1,000 Student Veterans of America (SVA) chapters on college campuses around the country. VFW posts in college communities have also helped to cultivate significant peer-to-peer support for student veterans on college campuses with tremendous success for future veteran leaders.

VA has also commissioned two unique programs designed to serve student veterans on college campuses, VetSuccess on Campus (VSOC) and Veterans Integration to Academic Leadership (VITAL), which offer unique VA support services to veterans. VSOC assists veterans on more than 90 campuses and VITAL was recently expanded to 15 campuses. In 2010, the Department of Education also awarded grants to 15 college campuses to commission Centers of Excellence for Veteran Student Success (CEVSS) to deliver support services to student veterans.

VSOC, VITAL and CEVSS all have the authority to hire student veterans as VA Work Study participants, and many campuses are already taking advantage of this resource to deliver peer-to-peer services. The VFW believes that Congress should look to these pro-

grams to better understand how to best deliver peer-to-peer support services to veterans on campus.

Finally, the VFW supports Rep. Takano's goal to report on the efficacy of peer-to-peer support services for veterans in higher education. However, in lieu of commissioning three new peer support programs, the VFW recommends identifying current peer-to-peer support programs commissioned through the VA Work Study program to support VSOC, VITAL and CEVSS, and reporting on their efficacy.

To properly reflect the diverse experiences of veterans in higher education and to produce a quality report on the success of peer support in higher education, the VFW recommends expanding the proposed report to reflect a geographically diverse selection of four-year public schools, community colleges, and private non-profit universities; as well as examples of non-profit online programs, elite non-profit schools, for-profit campus-based programs, and for-profit online programs.

The VFW agrees with Rep. Takano that we know far too little about the experiences of student veterans in higher education. The first statistically valid report on student veteran outcomes in higher education was released by SVA only earlier this week. The VFW supports studying examples of current peer support models to demonstrate success, and we look forward to working with Rep. Takano and the subcommittee to make this happen.

H.R. 3614, Military Skills to Careers Act

The VFW supported this Bill's Senate companion, S. 492, in testimony last year, and we support Rep. Flores' efforts to help close the civilian/military licensing and credentialing gap. This Bill takes reasonable steps to ensure that states will allow experienced military professionals to sit for licensing exams, while still ensuring states have the autonomy to issue professional licenses as they see fit. States will not have to relax their standards for professionals operating within their borders, but experienced veterans will not be unnecessarily burdened with satisfying duplicative training requirements.

However, the VFW has some concerns over the specific language of this Bill, and we want to work with the subcommittee to ensure that states will not be penalized for holding military-trained professionals to standards established by professional trade associations, but enforced by the states through licensing procedures.

H.R. 4031, Department of Veterans Affairs Management Accountability Act of 2014

Chairman Miller's Bill would provide the Secretary the authority to remove a Senior Executive Service (SES) employee based on performance. Accountability within VA management is a growing concern. Without defined authority to remove an SES employee from a position or from employment, accountability for poor performance will never be reached.

Section 7543 of title 5, U.S.C., provides the authority to suspend or remove a member of the SES. This provision of law provides for two things: First, an agency may remove or suspend a senior executive only for misconduct, neglect of duty, malfeasance, or failure to accept a direct reassignment. Second, it provides that members

of the SES are entitled to at least 30 days advance written notice of why disciplinary action is being proposed, at least 7 days to respond to the notice for suspension or removal, representation by an attorney or other representative, and a written decision with specific reasons. The agency may also provide for a hearing to allow the SES member a chance to answer questions. The problem with this scenario is that it allows SES employees to engage in a perpetual back-and-forth with their superiors through archaic legal processes. This means that SES employees can rarely be sanctioned or removed for poor performance, as Chairman Miller has rightly pointed out.

This Bill will provide the Secretary the authority to remove SES employees when the Secretary determines that poor work performance warrants such removal. While it is important for the Secretary to have the ability to quickly remove employees, and specifically members of the SES, it is also important to recognize that members of the SES are career employees who serve as the link between political appointees and the civil service employees of the department, and that allowing removal without due process or the ability to appeal could jeopardize the unique roll of the SES.

The VFW would support this legislation if it were amended to place a 30 day limitation, with one opportunity for an additional 30 day extension, on the title 5 provision that allows at least 7 days for an SES employee to respond to the notice of suspension or removal. This would force notified SES members to quickly respond to their notification, thereby decreasing the time it takes to remove an underperforming SES member. SES members must also retain their appeal rights through the Merit Systems Protection Board. These changes would send a clear message to underperforming employees, but provide needed protection for positions that were designed to provide and retain institutional knowledge and reduce cronyism.

H.R. 4037, Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014

The VFW supports the intent of Rep. Flores' Bill to ensure that VA's Vocational Rehabilitation and Employment (VR&E) Program has the ability to provide rehabilitative services to veterans who need it the most. The VFW also supports Flores' initiative to more accurately measure success within the program.

By design, VR&E is supposed to offer intensive rehabilitative services to veterans who must be retrained in a new civilian industry because of their service-connected disability. Under current law, any veteran with a service-connected rating of 10 percent or more is eligible for VR&E.

Through this legislation, Rep. Flores hopes to ensure that VR&E can continue to meet an increasing demand for rehabilitative services among veterans who need it the most—specifically disabled veterans with significant barriers to employment.

The VFW understands that VR&E in its current form is nearly at capacity for offering rehabilitative services to disabled veterans. According to VA's own data, VR&E counselors are already working beyond a reasonable capacity, with counselors serving veterans at a ratio of 145:1, when VA's standard of service is 125:1. With more

and more service members projected to leave the military in the coming years, the VFW shares Rep. Flores' concerns that VR&E may not be able to adequately serve the veterans who will need it the most if changes are not made to the current system.

However, the VFW worries that restricting eligibility for VR&E will lead to some disabled veterans falling through the cracks. Though the VFW cannot support this Bill in its current form, we look forward to working with Rep. Flores to develop meaningful reforms for VR&E that will ensure VA can deliver quality rehabilitative service to veterans who need it without restricting access.

H.R. 4038, Veterans Benefits Administration Information Technology Improvement Act of 2014

The VFW supports Rep. Flores' Bill to ensure that VA prioritizes the completion of its information technology (IT) solution for processing VA education benefit claims. The VFW acknowledges the significant progress VA has made in the timeliness and accuracy of its GI Bill benefit processing. However, we share the subcommittee's concerns that as Veterans Benefits Administration sees success in education benefit processing, they have now shifted resources to focus solely on the disability claims backlog. The VFW understands VBA's urgency in seeking to resolve the backlog, but we must not neglect the mission to properly serve student veterans. By completing the IT solution, we ensure that education benefits can continue to be processed in a timely, accurate manner.

H.R. 4147, the Student Veterans IT Upgrade Act

The VFW supports Rep. Takano's Bill to commission a report to Congress on the status of VA's education IT systems. Similar to H.R. 4038, the VFW believes that VBA has an obligation to process timely and accurate education benefits. Critical to this is the development and completion of VBA's education IT systems. This report is a responsible way to demonstrate progress in IT development, identify potential shortcomings and develop a course of action to complete tasks. To the VFW, this Bill is responsible governance and we support its quick passage.

H.R. 4151, the Veterans Education Survey Act of 2014

The VFW proudly supports Rep. Bilirakis' efforts to commission a survey of student veterans currently using their earned GI Bill benefits. Without statistically valid information on the student veteran experience or student veteran outcomes, these special interests groups in higher education have been able to make vague assertions about the student veteran population based off of assumptions drawn from incomplete Department of Education data. While the VFW can only speculate as to their motives, we believe this false narrative does a disservice to the 1 million beneficiaries currently enrolled in VA education benefit programs and threatens the long-term viability of programs like the Post-9/11 GI Bill.

For example, some special interests point to low graduation rates among student veterans at schools with high military populations like American Military University and University of Maryland University College as indications that these schools fail to properly serve their student veterans. What is missing from this narrative is that the graduation rate reported by these schools to the Depart-

ment of Education likely includes very few, if any, veterans, since the Department of Education counts only first time, full time students.

Student veterans—particularly student veterans who enroll in non-traditional programs like those offered by AMU or UMUC—usually start their studies on a part-time basis while serving in the military, or they bring significant transfer credits into their programs after completing military service, meaning they are never considered first time, full time students, and thus are never tracked by the Department of Education.

Moreover, when the Department of Veterans Affairs recently launched its new comparison tool and the raw data used to compile it, the VFW was surprised to learn of all the programs across higher education that reported abysmally low graduation rates. The VFW took a closer look at many of the schools who reported graduation rates of five percent or lower, only to realize on the Department of Education's College Navigator website that each of these schools were likely comprised of non-traditional students, like student veterans. Because of these unique circumstances, we often joke that among all of the veterans in our office, none of us are considered a college graduate by Department of Education standards.

Only this week did we start to scratch the surface on understanding how student veterans fare in higher education when SVA released its 1 Million Records Project, tracking outcomes for nearly 1 million veterans who attended college on VA education benefit programs after 9/11. We applaud SVA for its groundbreaking findings, which demonstrated that student veterans fare well in higher education when compared to traditional students as tracked by the Department of Education. However, this report only scratches the surface and does not capture attitudes and impressions of student veterans currently using their GI Bill benefits. This is the gap in information that Rep. Bilirakis' report would fill in.

The original GI Bill returned $7 to the American economy for every dollar spent on a veteran. Historians credit the original GI Bill for building the American middle class as we know it. The VFW believes that the Post-9/11 GI Bill has the potential to be a similarly transformative benefit for today's college-bound veterans, but in times of fiscal uncertainty, we have to be able to demonstrate this to the American public. We encourage Congress to quickly pass this legislation to better quantify the experiences of veterans in higher education.

Draft Bill, Veterans Employment and Training Service Longitudinal Study Act of 2014

The VFW has long believed that the services provided by the Department of Labor's Veterans Employment and Training Service (VETS) could provide a critical gateway for veterans into meaningful civilian employment after military service. The key piece to providing career opportunities rests with Disabled Veterans Outreach Program specialists (DVOPs) and Local Veterans Employment Representatives (LVERs) located at American Jobs Centers around the country. Unfortunately, the VFW has seen that not all DVOPs and LVERs have the same capability, and not all veterans and employers know what they have to offer.

Recently, the VFW was approached by a small business owner in Indiana who was looking to hire a couple of veterans to round out his company. We directed the business to the local LVER. In less than a day the LVER had identified several potential candidates and the business had lined up interviews.

The VFW believes that businesses want to hire veterans, and DVOPs and LVERs stand uniquely poised to make these connections. Unfortunately, we have not properly evaluated what works and what does not work in communities around the country. To better understand the veteran hiring experience, the VFW supports the subcommittee's draft legislation to conduct a longitudinal study on the outcomes for veterans who utilize DVOP and LVER services. We look forward to working with the committee to pass this legislation.

Chairman Flores, Ranking Member Takano, this concludes my statement and I am happy to answer any questions you may have.

Information Required by rule XI2(g)(4) of the House of Representatives

Pursuant to Rule XI2(g)(4) of the House of Representatives, VFW has not received any federal grants in Fiscal Year 2013, nor has it received any federal grants in the two previous Fiscal Years.

PREPARED STATEMENT OF MR. WILLIAM HUBBARD

Chairman Flores, Ranking Member Takano and members of the Subcommittee:

Thank you for inviting Student Veterans of America to submit written testimony regarding pending legislation intended to increase support for military servicemembers and veterans.

Student Veterans of America (SVA) is the largest and only national association of military Veterans in higher education. Our mission is to provide military veterans with the resources, support, and advocacy needed to succeed in higher education and after graduation. We currently have nearly 1,000 chapters, or student veteran organizations, at colleges and universities in all 50 states, that assist veterans in their transition to and through higher education. This on-the-ground perspective, which comes from every corner of this nation, and our experience in supporting thousands of GI Bill beneficiaries, provides the framework for our testimony regarding these important issues.

H.R. 2942, a Bill to amend Title 38, United States Code, to reestablish the Professional Certification and Licensure Advisory Committee of the Department of Veterans Affairs.

SVA supports the reestablishment of this Committee as it is clear that this committee is a necessary entity. While the Department of Veterans Affairs currently performs outreach and auditing for licensing and certification programs, the extension would streamline those efforts and contribute to clear communication with State approving agencies presently act in a similar capacity. For these reasons, SVA sees this as a committee of necessity to address existing gaps by allowing applicable military experiences to be translated to civilian recognition.

H.R. 3056, Warriors' Peer-Outreach Pilot Program Act

SVA stands firmly with the intent behind the legislation proposed by Rep. Takano in establishing metric-proven success of peer-to-peer support networks for veterans in higher education. With close to 1,000 chapters across the country which operate on this model, SVA strongly believes in the importance of peer-to-peer support in higher education—indeed a core precept of our organization.

However, with ample evidence available already, both anecdotal and data-driven, of the success of peer-to-peer programs with regards to veterans pursuing postsecondary degrees, SVA does not support H.R. 3056. At present, SVA provides tools and resources for student veterans to act both formally and informally to support their veteran peers throughout their educational experience. In addition to a breadth of day-to-day support provided by chapter leaders for student veterans at the local level, SVA also provides an array of programmatic training that encourages outcomes which mirror the intent of this legislation. Our Leadership Institute Series teaches practical skills that apply directly to supporting effective peer-to-peer mentoring, as well as skills which translate beyond school and focus on building fulfilling careers.

Others have also seen this approach of peer-to-peer support as a successful model, and have implemented it widely. In Washington State, the VetSuccess AmeriCorps program has been an excellent example of success, placing 64 AmeriCorps members on as many as 32 college campuses for the 2013–14 academic year. With rigorous reporting and metrics associated with that program, SVA believes that no additional proof is necessary to substantiate the positive impact that peer-to-peer support can have.

SVA stands with the Veterans of Foreign Wars and the American Legion in accepting that peer-to-peer support in higher education is a known factor of success of veterans in higher education, with no further legislation required to execute additional study.

H.R. 3614, Military Skills to Careers Act

This Bill seeks to ensure that military professionals have the opportunity to sit for licensing exams, allowing veterans the opportunity to successfully translate their military expertise and effectively integrate into the civilian workforce.

The skills veterans learn in the military match those required for civilian job licenses, and this legislation would permit veterans to obtain only those licenses for which they are qualified. We know there exists substantial overlap between the training of veterans, state licenses that do not fully credit military experience, and current labor market needs.

This legislation recommends allowing for the recognition of the investment that our Department of Defense has made in our service members, now veterans. It makes it possible for economic needs for critical skills positions, which align directly with veterans' prior training and experience, to be addressed. SVA carries reservation in establishing this legislation as a precursor to awarding grants or contracts to states, which may ultimately inhibit the overall intent of this Bill.

SVA would look forward to providing further input on this legislation to achieve an outcome that we would fully support.

H.R. 4037, Improving Veterans' Access to Vocational Rehabilitation and Employment Act 2014

Vocational rehabilitation is a crucial component in the transition process as veterans move from active service to the civilian population. The Montgomery and Post-9/11 GI Bills provide notable examples of the role that education plays in this transition process. American taxpayers have invested billions of dollars in programs that empower veterans to seek education that will allow them to attain gainful employment and meaningful careers.

Chairman Flores' Bill seeks to ensure that the Vocational Rehabilitation and Employment Program is equipped to provide rehabilitation programs to the veterans who have the greatest demand for these services.

In the Bill's current form, SVA does not support H.R. 4037, though we feel this issue should stay at the forefront of discussion. With some changes to the language, which would otherwise potentially lead to some veterans being caught in a gap, SVA would support this legislation.

H.R. 4038, Veterans Benefits Administration Information Technology Improvement Act of 2014

SVA is in strong favor of Chairman Flores' Bill, H.R. 4038. Educational benefits claims processing is a persistent issue for veterans who would benefit from spending their time on their studies versus trying to manage a claim to an earned benefit. Even a small percentage of claims going unprocessed or delayed is unacceptable, as the impact is immediate and with lasting effects.

For those who have experienced challenges in their claims being processed, they know all-too-well what kind of chain effect this can have on their ability to attend school and gain the full value of their educational benefits. Electronic adjudication of these benefits will greatly reduce user-error, and speed up the processing time for these benefits. An automated benefits processing of educational benefits should be a top priority of the Department of Veterans Affairs and SVA encourages the swift passage of H.R. 4038.

H.R. 4147, Student Veterans IT Upgrade Act

As with Chairman Flores' legislation, H.R. 4038, this legislation proposed by Rep. Takano is a key component of modernizing the technical capabilities of the Department of Veterans Affairs. Public knowledge of the state of the IT infrastructure is a critical first-step in being able to address additional issues that stem from an inability to clearly understand what upgrades need to be performed. This understanding, along with an action plan to address finalizing each system, will send a clear signal that the Department of Veterans Affairs is actively seeking to follow-through on their intent to bring these systems to full implementation.

SVA stands behind Rep. Takano on H.R. 4147 to pursue the upgrade of information technology infrastructure necessary to support the education benefits claims of veterans as they seek higher education.

H.R. 4150, Veterans Employment and Training Service Longitudinal Study Act of 2014

On March 24th, we released our initial findings of our Million Records Project, an SVA-led research study of veterans in higher education in collaboration with the Department of Veterans Affairs and the National Student Clearinghouse. As we look at H.R. 4150, we find it to be complementary to our research, and within the spirit of seeking data-driven decisions on programs to support veterans in higher education.

Since our organization's inception, we have held that the lifecycle of a veteran's transition from the military, to school, and onward to civilian careers, is a highly interdependent process. Each component of this process builds on the preceding steps, and this legislation seeks to empower veterans through several critical steps.

The Department of Labor's Veterans Employment and Training Service (VETS) can build a bridge for millions of veterans over the coming years as they pursue gainful careers post-graduation, for example. However, the current lack of coordination and understanding of the breadth of impact surrounding this part of the transition process is a crucial gap that must be addressed. SVA applauds the interest in moving towards the goal of gaining greater clarity on the impact of job counseling, training, and placement of veterans.

In 2012, the GAO noted that the federal government has sponsored 6 different programs serving at least 880,000 participants at a cost of $1.2 billion dollars. Such a broad variety of resources might be seen as a positive attribute, and certainly reflects the sea of goodwill that has developed over the past decade. However, without coordination, duplicative efforts and inefficiencies threaten to stymie the full potential of these resources.

A study, as this legislation proposes, would enable decision makers at multiple levels to understand what is working. As well, the study would highlight areas for change.

SVA is in full support of H.R. 4150, and applauds the legislation for being fully inclusive of all individuals entitled to any kind of educational assistance.

H.R. 4151, Veterans Education Survey Act of 2014

SVA stands in strong favor of Rep. Bilirakis' legislation, H.R. 4151, "Veterans Education Survey Act of 2014". It is right for some American's to ask, "What are we receiving for our investment in the GI Bill?" Indeed, this is a crucial question as more than $34 billion dollars has been spent on millions of veterans who have sought, and are seeking, degrees in higher education.

As previously noted, our Million Records Project has sought to answer that question. H.R. 4151 is an important piece of legislation because it answers another key element of this investment in our veterans, "What motivates veterans to pursue the paths that they do?"

We know that a majority of our service members elect to pursue higher education as they transition out of the military. With an expected 1 million new veterans to enter the civilian population over the next several years, the importance of empowering veterans in higher education will continue to increase. As individuals gain degrees in higher education, their earning power increases significantly. We also know that veterans who earn an initial degree in

higher education have a much greater potential to pursue additional degrees, increasing their overall opportunity to contribute to the economy.

Through the Million Records project, there are several data points have gained great insight on, and when paired with the data that would be collected through a study directed by this legislation, the picture will become even clearer; a holistic narrative will form, enabling policy makers to base their decisions on accurate data. From the research of the Million Records Project, we have identified what school sectors are performing well, what graduation rates for veterans looks like, and time-to-completion of degree, among many other critical attributes.

This legislation would add another element to that picture: factors that impact the paths veterans pursue in higher education. As a customer satisfaction survey, policy regarding what can be done to improve the effectiveness of the educational benefits for veterans becomes increasingly applicable. The more data available on these topics, the better.

Since 2000, over 4 million veterans have benefited from use of the GI Bill, and the American taxpayers can expect that this generation of veterans will positively impact the American economy in magnitudes that will continue for several generations to come. SVA encourages the swift passage of this important legislation, and applauds the efforts of all policy makers who are making it clear that an investment in our veterans and their education is an investment in this country's future.

SVA finds the following Bill outside the scope of our mission and does not wish to offer comment at this time:

H.R. 4031, Department of Veterans Affairs Management Accountability Act of 2014

Student Veterans of America is appreciative of the opportunity to provide this testimony. We thank the Chairman, Ranking Member and the Subcommittee members for their time, attention, and devotion to the cause of veterans in higher education. We look forward to continuing to work with this Subcommittee, the House Veterans' Affairs Committee, and the Congress to ensure the success of all generations of Veterans through education.

Thank you for allowing Student Veterans of America the opportunity to participate in this important Hearing.

WOUNDED WARRIOR PROJECT

Chairman Flores, Ranking Member Takano, and Members of the Subcommittee:

Thank you for inviting Wounded Warrior Project (WWP) to provide views on pending economic opportunity-related legislation. We welcome this opportunity to address several of the measures before you today.

Warriors' Peer-Outreach Pilot Program Act

H.R. 3056 would require the Secretary of VA to carry out a three-year pilot program to provide peer outreach and support services at institutions of higher learning—with an emphasis on assisting veterans who may have or be having, difficulty in adjusting to

such institution, or who may need services or supports that such institution is not equipped to provide—by training and employing fellow veteran students (or recent graduates) as peer mentors.

With the Post 9/11 GI Bill, Congress has provided this generation of veterans an especially valuable gateway to economic success. Wounded warriors are using this benefit; in fact, almost one third of the nearly 14,000 wounded warriors who responded to our 2013 survey were enrolled in school.[1] However, some of our wounded warriors are facing stark challenges in pursuing higher education. In many instances, their injuries—and particularly the invisible wounds they have incurred—create obstacles their student-peers do not experience or even understand. Some wounded warriors simply need modest accommodations and supports. But without such supports some are struggling, dropping out, or even failing.

Studies confirm the experiences our warriors have reported to WWP education-services staff. For example, one study found that the "average" student-veteran has experienced moderate anxiety, moderately severe depression, and symptoms of PTSD.[2] Specifically, nearly 46 percent of the sample experienced "significant symptoms of PTSD,"[3] almost 35 percent suffered from severe anxiety, and nearly 24 percent had severe depression.[4] Another study found that most of the student veteran survey and focus group participants encountered substantial transition challenges while adapting to life on campus.µA[5] Among these students, one of the most frequently discussed challenges was coping with service-related disabilities and PTSD.[6] Overall, about 68 percent of survey respondents rated the extent to which they had to cope with such disabilities, and of those, 55 percent reported it as a moderate or major challenge.[7]

As is apparent from our own extensive surveying, peer support and mentor relationships are vital in assisting warriors in their transition and throughout their recovery process. Particularly, peer support has played unique roles in military/veteran populations in decreasing stigma associated with seeking mental health care and improving adherence, increasing knowledge of treatment resources, and augmenting or teaching self-management. [8] Notably, peer support relationships tend to support and encourage self-advocacy[9] and empowerment and they have been found to foster increased

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[1] Franklin, et al, 2013 Wounded Warrior Project Survey Report, vi (July 2013).

[2] David Rudd, Jeffery Goulding, and Craig Bryan, "Student Veterans: A National Survey Exploring Psychological Symptoms and Suicide Risk." 42(5) Professional Psychology: Research and Practice, 354, 357–358 (2011).

[3] Id. These exceed the cutoff score for PTSD in accordance with the PCL–M score for OIF/OEF veterans, Dept. of Veterans' Affairs and the National Center for PTSD Fact Sheet, "Using the PTSD Checklist," available at: *http://www.ptsd.va.gov/professional/pages/assessments/assessment-pdf/pcl-handout.pdf*.

[4] Rudd et al., supra note 6, at 357–358.

[5] Jennifer Steele, Nicholas Salcedo, and James Coley, "Service Members in School: Military Veterans' Experiences Using the Post-9/11 GI Bill and Pursuing Postsecondary Education," RAND Corporation (2011).

[6] Id. at 36.

[7] Id. at 39.

[8] Williams, et. al, "A Scoping Study of One-to-One Peer Mentorship Interventions and Recommendations for Application with Veterans with Postdeployment Syndrome," 27 J. Head Trauma Rehab. 261, 270 (2012).

stability in work, education and training.[10] In some cases, peer mentors are even more successful than professional qualified clinicians because they promote hope and belief in the possibility of recovery and their relationships with mentees foster increased self-esteem and social inclusion, engagement, and increased social networks[11] all of which are key for success in post-secondary education. Furthermore, peer support relationships are mutually beneficial—employment as a peer mentor adds to self-esteem, confidence, and personal recovery and increases chances of further employment and continued recovery.[12]

WWP was founded on the principle of warriors helping warriors, and we pride ourselves on outstanding service programs that advance that principle, including our own Peer Mentor Program. Underscoring the benefit of warriors reaching out to other warriors, our annual survey found that more than one half of our alumni reported that talking with another OEF/OIF/OND veteran was the most effective resource they have used (and that has assisted them) for coping with their mental health concerns.[13]

Having current or recent graduate student peer mentors on campus to assist warrior-veterans—many of whom are battling PTSD, depression, anxiety, or a combination of these disorders would be an important step in assisting these warriors successfully make the transition to an educational program and increase their likelihood for success in such program. As such, WWP supports H.R. 3056.

Improving Veterans' Access to Vocational Rehabilitation and Employment Act

H.R. 4037, the Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014 is aimed at making certain improvements to VA's Vocational Rehabilitation and Employment Program (VR&E), including steps would: (1) Direct VA to revise the formula to calculate the rate of veterans who were rehabilitated under the program; (2) make the approval of courses for a VR&E education program more similar to that of the GI Bill; (3) expand eligibility for specially adapted housing to veterans who are permanent and totally service-connected and are eligible to participate in VR&E; (4) authorize VA to prioritize provision of VR&E services for veterans based on need, as determined by reference to disability ratings, severity of employment handicaps, income and other factors, and (5) liberalize the definition of the term "serious employment handicap."

WWP certainly appreciates the focus H.R. 4037 places on VR&E and welcomes many of its provisions. We do have concerns, however, regarding the implications of the proposed broad grant of authority the Bill would give VA to set priorities for providing VR&E services, and what that might portend for disabled veterans who are not afforded priority under regulations VA might then promulgate. Given the wide latitude this provision of H.R. 4037 would give VA, it is conceivable that such authority would be broadly exercised, with the result that some veterans' applications for VR&E

[9] Id. at 272.
[10] Repper & Carter, "A Review of the Literature on Peer Support in Mental Health Services," 20(4) J. of Mental Health 392, 396 (2011).
[11] Id. at 400.
[12] Id.

would get expedited attention while others could face long waits. While one could appreciate the benefit of establishing a limited "compelling need" situation under which VA could, for example, expedite consideration of a case presenting exceptional circumstances, the language of H.R. 4037 invites a much broader approach. Drawing priority distinctions based on disability ratings is especially problematic, given the long waits many face in the course of the adjudication and appeals processes. It bears emphasizing that VR&E is an entitlement—an earned benefit. Given its mission, the VR&E program itself should be a VA priority, with funding commensurate with that priority. That funding should be sufficient to ensure that veterans are afforded timely service, and there should be no need to consider setting priorities. Indeed, for Congress to grant VA authority to set priorities could actually be read to signal that the program need not be fully funded. While we do not suggest that to be the intent of the provision, we would urge the Subcommittee to reconsider this provision.

We would also urge the Subcommittee to address other areas—including through legislation—where the VR&E program needs attention, particularly with staffing levels and the need for more staff training. With military careers often cut short by life-altering injuries, it is particularly important that this generation of wounded warriors be afforded the tools, skills, resources, education, and support needed to secure employment and develop fulfilling careers. Congress designed the VR&E program to give disabled veterans the help they need to gain success in the workforce and it should be a key transitional pathway for wounded warriors. But too often the program is failing them.

Wounded warriors and WWP's field staff—who work daily with our wounded warriors across the country—report wide-ranging variability in program administration and education/employment plan approvals, counselor skills, experience, understanding of battle-incurred TBI and PTSD, and interpretation and knowledge of the program's services. Though some warriors report positive experiences and have worked with dedicated counselors, this represents the exception and not the norm.

Warriors have reported instances of VR&E counselors challenging their employment aspirations by denying them access to their program of choice and pressing them instead to pursue "any job" as a goal. In other instances, wounded warriors seeking to go back to school to earn a second degree—to better compete in the job market—have met objection from counselors who view VR&E simply as a "jobs program." Still, others, particularly those with TBI and PTSD, have encountered VR&E counselors who do not appear to understand those conditions.

Additionally, warriors report delays in receiving VR&E services, difficulty communicating and scheduling with their counselors, and reduced opportunities to achieve successful and timely rehabilitation. The size of counselors' caseloads has particularly limited their ability to provide adequate on-going support and assistance to veterans throughout the course of their education or training program, especially to those with TBI and PTSD who need such supports.

The following comments are emblematic of the experiences of many:

"In my experience working with Voc Rehab counselors, many of my veterans were exasperated by their counselors and oftentimes felt as though their counselors had such a large caseload that they were not getting the attention needed. . . and more often than not being brushed off when they asked for assistance."

"While many of the Voc Rehab staff are sensitive to the veteran's needs, they do not seem to, as a whole, have an understanding of where the veteran is coming from . . . they are quick to write off a veteran's career choice due to their disability rather than take into account things such as passion, determination, and drive."

"Many veterans have to justify why they want a specific degree or [employment goal] and that doesn't always match up with what the counselor believes that veteran can be successful at based on their history or [medical] diagnosis."

The recent Government Accountability Office Report on VR&E highlights the program's workload management challenges and gaps in VR&E staff training.[14] The wide variability in counselor caseloads among the regional offices is particularly concerning, as is the fact that the program is just now—at the end of 2013 and into 2014—providing new staff training courses on mental health to improve counselors' ability to assist veterans with PTSD and other mental health issues.[15]

VR&E counselors need to be sensitive and not only understand the struggles, but also the strengths, of warriors with TBI and PTSD so that they, in turn, can help warriors recognize that they are not "broken," but continue to have great potential. They must be partners in the warriors' rehabilitation, not critical gatekeepers who too readily dismiss "unrealistic" aspirations. In working with this generation, counselors must also understand the very profound disorientation experienced by warriors whose lives and life-plans have been upended and out of their control. As one put it, "For me the most difficult part [of the transition] is finding purpose. [I] never really had to think about my purpose when I was in the Corps."[16] A VR&E counselor must have the sensitivity, training and experience to help that warrior find new purpose, or to link him to appropriate professional help. But even the most capable, empathetic counselor—challenged with 150 other "cases" to manage—is unlikely even to have sufficient time to provide that warrior the needed level and kind of support. More appropriate staffing levels must be a component of refocusing and re-energizing this important program. In all, we urge this Committee to make the VR&E program a greater priority through budgetary, programmatic, and outcomes-based action.

Veterans Education Survey Act of 2014

H.R. 4151 directs the Secretary of VA to contract with an independent agency to conduct a survey of individuals, who have used, or are currently using, their education benefits under chapters 30, 32, 33, and 35 of Title 38.

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[14] U.S. Government Accountability Office, "VA Vocational Rehabilitation and Employment: Further Performance and Workload Management Improvements are Needed," GAO–14–61 (2014).

[15] Id. at 27 and 32.

[16] Franklin, *et al*, 2013 Wounded Warrior Project Survey Report, 108 (July 2013).

WWP would welcome a comprehensive survey on warriors' experiences using their earned educational benefits. WWP's concerns regarding wounded warrior-student experiences on campus and in educational programs has been raised before this Committee.[17] Such a survey would be invaluable in determining the effectiveness of these education programs and would shed light on veteran experiences in each of these programs.

But, as we outlined above in our discussion on VR&E, we urge this Committee to expand the scope of the Bill to include users of VR&E in this survey to better understand veteran experience with the program as an effort to remedy the program's gaps. Simply asking whether the veteran was entitled to VR&E and if he/she participated in the program, as this Bill requires, would be to lose an important opportunity. In our 2013 annual survey—of those pursuing an education—only about 20 percent of our warriors were using VR&E while 54 percent opted to use the Post 9/11 GI Bill to finance their education.[18] Given that VR&E provides counseling and other supports and is limited to service-connected disabled veterans, it is striking that the majority of our alumni are selecting the Post 9/11 GI Bill—which does not provide the counseling and assistance that VR&E offers. Some warriors and field staff offer the reasoning that the Post 9/11 GI Bill is easy access and a swifter means to get an education. Many others report it is because they would have "more freedom to pursue what they want, not what the vocational counselor tells them."

Including survey questions on VR&E—particularly questions focused on illuminating the reasons why service-disabled veterans choose the Post 9/11 GI Bill over VR&E would better assist VA in recognizing if more outreach and education is needed on VR&E and the services it provides. More importantly, questions related to veteran experiences with VR&E counselors and other staff, and on the timeliness and adequacy of services provided, are critically important to gain an understanding of where critical gaps in the program lie so VR&E administrators can begin addressing those gaps—whether through increased staffing, staff training, and/or through greater programmatic oversight or even program re-design.

Thank you for your consideration of WWP's views on these issues.

DISABLE AMERICAN VETERANS (DAV), PAUL R. VARELA, DIRECTOR

Chairman Flores, Ranking Member Takano and Members of the Subcommittee:

Thank you for inviting DAV to submit testimony for this legislative hearing of the House Veterans' Affairs Subcommittee on Economic Opportunity. As you know, DAV is a non-profit veterans service organization comprised of 1.2 million wartime service-dis-

[17] See WWP statement for the record, House Veterans' Affairs Subcommittee on Economic Opportunity Hearing on "The Value of Education for Veterans at Public, Private, and For-Profit Colleges and Universities," June 20, 2013.

[18] Franklin, et al, 2013 Wounded Warrior Project Survey Report, 71 (July 2013). The percentage of alumni using the Post 9/11 GI Bill has continued to increase (53% in 2012, some 46% in 2011, and nearly 28% in 2010) while the percentage of alumni reporting the use of VR&E continues to decline (21% in 2012, down from almost 25% in 2011, and some 36% in 2010).

abled veterans dedicated to a single purpose: empowering veterans to lead high-quality lives with respect and dignity. DAV is pleased to be here today to present our views on the Bills under consideration by the Committee.

H.R. 2942, To amend Title 38, United States Code, to reestablish the Professional Certification and Licensure Advisory Committee of the Department of Veterans Affairs.

H.R. 2942 would reauthorize the Department of Veterans Affairs (VA) Professional Certification and Licensure Advisory Committee and extend its operational authority to December 31, 2019.

The Committee would advise the Secretary with respect to the requirements of organizations or entities offering licensing and certification tests to individuals for which payment for such tests may be made under chapter 30, 32, 33, 34, or 35 of Title 38 and such other related issues as the Committee determines to be appropriate.

Members of the Committee would be appointed by the Secretary, without regard to the prior composition of the Committee.

DAV does not have a resolution on this issue and has no position on this legislation.

H.R. 3056, the Warriors' Peer-Outreach Pilot Program Act

H.R. 3056, would direct the Secretary of Veteran Affairs to carry out a three-year pilot program to place peer counselors providing outreach and support services to veterans utilizing Post-9/11 GI Bill benefits under Chapter 33. The pilot would provide peer-outreach and peer-support services to students veterans of Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn at one four-year public university, one community college and one private non-profit college. Peer counselors must either be using, or have successfully used, their entitlement to educational assistance under Chapter 33.

The program also looks to pair veterans with peers of similar service and educational pursuits to establish an immediate relationship, someone not only familiar with the military service, but with experience utilizing their own Chapter 33 benefits. A preference would be given to those potential peer counselors that have served in combat operations, with special consideration given to veterans who have recovered or are recovering from a mental health condition. The Bill seeks to maximize supportive services to post-9/11 veterans to ensure their successful completion of their educational goals.

The Secretary would be required to provide training to the veterans employed by the pilot program and to develop requirements and measures for assessing the effectiveness of program services. The program would also makes as a condition of implementation at an institution of higher learning the employment of a post-9/11 veteran that has used or is using benefits under Chapter 33. For a school to be eligible to participate, they would need to provide office space with the capability for veterans to use information technology equipment and appropriate information technology support services for the individual who will provide peer-outreach and peer-support services at such institution.

DAV does not have a specific resolution on this Bill, but does not oppose its favorable consideration.

H.R. 3614, the Military Skills to Careers Act

H.R. 3614, the Military Skills to Careers Act, would make grants to states that agree to adhere to certain standards in how they implement their professional licensing and certification programs.

In order to be eligible for a grant, a state would be required to issue licenses or credentials to veterans without requiring them to undergo any training or apprenticeship if the veteran receives a satisfactory score on completion of the state's required examination, has been awarded a military occupational specialty that is substantially equivalent to or exceeds the requirements of the state for the issuance of the license or credential; has engaged in the active practice of the occupation to be licensed or certified for at least two of the five years preceding the date of application; and pays any fees required by the state for the license or credential.

The legislation would allow the Secretary to waive some of these requirements if the state certifies to the Secretary that it already takes into account previous military training for the purposes of issuing licenses or credentials; permits veterans to completely satisfy through examination any training or testing requirements for a license or credential with respect to which a veteran has previously completed military training; and for any credential or license for which a veteran is unable to completely satisfy such requirements through examination, substantially reduces training time required to satisfy such requirement based on the military training received by the veteran.

States would be required to submit annual reports to VA about their licensing and credentialing programs for veterans with a description of the results of these exams, disaggregated by occupational field.

DAV supports H.R. 3614 in accordance of DAV National Resolution No. 168, which calls for states to establish a clear process so military training meets civilian certification and licensure requirements once they leave the military.

H.R. 4031, the Department of Veterans Affairs Management Accountability Act of 2014

H.R. 4031, the Department of Veterans Affairs Management Accountability Act of 2014, would provide the Secretary with a new authority to remove any individual from the Senior Executive Service if the Secretary determines the performance of the individual warrants such removal. The Secretary would be able to remove the individual completely from federal service or transfer the individual to a General Schedule position at any grade the Secretary determines appropriate.

DAV agrees that the Secretary must have the ability to hold all employees accountable for performing their duties in order to ensure that veterans receive all of the benefits and service they have earned from their service. We have long advocated that VA must place accountability at the core of its efforts to reform the claims processing system and end the backlog. While H.R. 4031 is intended to provide the Secretary with new tools to remove employees, the Secretary recently testified that he already has sufficient

tools to hold all of his employees fully accountable and it is not clear how this legislation would interact with VA's existing accountability and due process statutes affecting VA employees. DAV is also concerned about the potential for adverse impact of this legislation on VA's ability to hire and retain quality employees.

DAV has no specific resolution on this proposal and has no position on this legislation.

H.R. 4037, the Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014

H.R. 4037, the Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014, would make changes to eligibility and prioritization rules for veterans seeking Vocational Rehabilitation and Employment (Voc Rehab) services.

Section 2 of the Bill would create a new metric that determines the percentage of veterans "rehabilitated to the point of employability." This percentage would be calculated by dividing the number of veterans who complete their rehabilitation plans each year into the number of veterans participating in vocational rehabilitation programs during that year plus the number entitled to participate in the program.

DAV has no specific resolution on this proposal but would not oppose its favorable consideration. While this new metric would provide information about the percentage of veterans completing their rehabilitation plans, we would also ask that VA refine its metric for assessing how many veterans are "rehabilitated" and gainfully employed as a result. Currently VA's standard measure requires that a veteran retain employment for just 60 days in order to be considered a successful "rehabilitation;" we would suggest that the length of employment should be tracked and measured at long intervals, such as 6 months or one year.

Section 3 of this Bill would require that all education and training courses paid for by VR&E be approved courses for purposes of existing VA education support programs under Chapter 30 and 33. While this would remove some of the burden facing VR&E counselors in determining appropriate courses and providers for veterans, we are concerned that it could unnecessarily limit the ability of veterans to receive appropriate training and education at non-approved locations. Although there is a waiver provision contained in this section, it is unclear how and when waivers should be granted, as well as whether the waiver would be authorized at the local level, or whether Central Office approval would be required. This additional administrative function has the potential to create additional obstacles in efficiently administering the VR&E program.

We have greater concerns about the impact of this provision in relation to courses and training that would be considered under the Independent Living (IL) program. Participants within this program often require more specialized and unique services that may fall outside those typically authorized by VA's educational programs. This provision could significantly restrict a VR&E counselor's ability to approve the unique courses and training required by IL participants, who are not anticipated to be looking for work anytime

in the near future. IL's goal is to improve the quality of their lives, and VR&E needs wide latitude to accomplish this noble mission.

DAV recommends that the Committee work with VA and veterans organizations to refine this language to ensure that VR&E retains sufficient flexibility to meet both participants and programmatic needs.

Section 4 of this Bill would allow veterans to receive assistance under the Specially Adapted Housing (SAH) program when it is determined by VR&E that the veteran has need for these services due to the disability or disabilities that entitled them to vocational rehabilitation services. This provision would leave the facilitation and implementation of needed home adaptions to the VA office most familiar with the administration of this program.

DAV has no resolution on this proposal but would not oppose its favorable consideration.

Section 5 of the Bill would authorize the Secretary to create a priority system for processing veterans applications for vocational rehabilitation services. In determining "priority processing," the Secretary would consider the need of the applicant, including income, disability evaluations, severity of employment handicaps, whether the veteran is eligible for IL services and income. The construct of this provision is similar to how VA provides priority to certain claims for disability compensation and pension. While we understand the desire to "prioritize" work, we would remind the Subcommittee that VR&E has yet to reach its intended counselor to client ratio of 1:125. Without adequate staffing and resources, it is unlikely they will be able to keep pace with current and future demands, regardless of any efficiencies that might be gained through prioritizing their work-load.

DAV has no resolution on this proposal but would not oppose its favorable consideration.

Section 6 of this Bill would change the definition of "serious employment handicap," one of the criteria used to determine if veterans are entitled to receive vocational rehabilitation services. Under this new definition, the bar to receive services would be raised for veterans with disability evaluations rated 10 percent and veterans seeking access to services beyond the 12 year eligibility period, resulting in a significant number of veterans losing their entitlement to receive this valuable assistance.

Essentially, this provision would restrict access to vocational rehabilitation services by imposing more stringent requirements upon those veterans necessitating a Serious Employment Handicap (SEH) determination to receive access to service. The current definition of "serious employment handicap" is " . . . a significant impairment, resulting in substantial part from a service-connected disability rated at 10 percent or more, of a veteran's ability to prepare for, obtain, or retain employment . . . " If this section were enacted, that definition would change to " . . . a significant impairment, resulting from the service-connected disability, that is directly related to the veteran's ability to prepare for, obtain, or retain employment . . . "

In accordance with DAV National Resolution No. 001, DAV strongly opposes this section because it would effectively remove

one of the most valuable benefits currently available to thousands of disabled veterans seeking to transition into civilian employment.

H.R. 4038, the Veterans Benefits Administration Information Technology Improvement Act of 2014

H.R. 4038 would require the Secretary of Veterans Affairs, to the maximum extent possible, to make improvements to VBA's information technology (IT) systems to ensure that all original and supplemental claims for veterans educational assistance are adjudicated electronically, and processed using a rules-based method. The Bill would require the Secretary to reduce redundancy and inefficiencies by ensuring that payments of subsistence allowance for veterans participating in this program are processed and paid out of only one corporate IT system. The Secretary would also be required to enhance the IT system supporting veterans participating VA's educational programs to ensure more accurate accounting of services and outcomes.

Although DAV has no specific resolution on this proposal, we are not opposed to its favorable consideration.

H.R. 4147, the Student Veterans IT Upgrade Act

H.R. 4147, the Student Veterans IT Upgrade Act, would require VA to study and report on the current status and future plans for the IT system used to administer educational services. This provision would require VA's Chief Information Officer, in coordination with the Deputy Under Secretary for Economic Opportunity, would be required to submit this report in 180 days to the Committees on Veterans' Affairs of the Senate and the House of Representatives. The report would include VA's current plan to update these IT systems, a detailed implementation plan, and a financial analysis of the costs involved.

DAV has testified on several occasions before the House Veterans' Affairs Subcommittee on Economic Opportunity regarding the current state of VR&E's IT infrastructure, which lacks adequate capacity and capability. In its present state, it does not allow veterans to file claims for vocational rehabilitation benefits and services electronically. We have recommended that rather than continue to patch and upgrade the current Corporate Winston-Salem, Indianapolis, Newark, Roanoke, Seattle (CWINRS) system, that VR&E be integrated into the Veterans Benefit Management System, and we would recommend that any forward looking IT plan for VBA take this approach for all business lines.

Although DAV has no specific resolution on this proposal, we are not opposed to its favorable consideration.

H.R. 4150, the Veterans Employment and Training Service Longitudinal Study Act of 2014

H.R. 4150 would authorize a long-term longitudinal study to examine the effectiveness of the job counseling, training and placement services for veterans provided by the Veterans Employment and Training Service (VETS) in the Department of Labor. The study would be performed by a non-government entity over a period of at least five years, using a statistically valid sample of veterans who have received services, as well as those who did not seek or receive any services from VETS.

The provision specifies a number of questions that the longitudinal study must address, and includes one question about whether the veteran participated in a VA vocational rehabilitation program. We would recommend that additional questions be included about the effectiveness of the VR&E program services in order to increase the value of this research.

Although DAV has no specific resolution on this proposal, we do not oppose its favorable consideration.

H.R. 4151, the Veterans Education Survey Act of 2014

H.R. 4151 would require the Secretary to contract with a non-government entity to conduct a survey of individuals who have received or are receiving educational assistance under one of VA's many education programs under chapters 30, 32, 33, and 35 of Title 38, United States Code. The purpose of the survey would be to provide insights into how veterans accessed, used, valued and benefited from VA education programs. The survey, which could be done electronically, must be completed no later than 180 days after VA enters into the contract. We would recommend that additional questions be included about the VR&E education and training program services in order to increase the value of this research.

Although DAV has no specific resolution on this proposal, we do not oppose its favorable consideration.

Mr. Chairman, this concludes our testimony.

VETSFIRST TESTIMONY

SUBMITTED BY HEATHER L. ANSLEY, ESQ., MSW; VICE PRESIDENT OF VETSFIRST

Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014 (H.R. 4037)

This legislation would make changes to aspects of VA's Vocational Rehabilitation and Employment (VR&E) program in an effort to improve access to services for veterans with significant barriers to employment. In general, we have concerns about proposed changes that limit access to employment services for any veterans living with disabilities. Specifically, Section 5 of this legislation would allow VA to prioritize the provision of VR&E services based on level of need. We are concerned that establishment of such priorities could lead to problems in accessing services for veterans who could greatly benefit from VR&E services but who are not deemed a priority for VA. Section 6 of this legislation would amend the definition of "serious employment handicap." VetsFirst is concerned about limiting access to services and believes that this legislation should be amended to provide access to training, educational, or other benefits that could help impacted veterans in returning to the workforce.

Veterans Employment and Training Service Longitudinal Study Act of 2014 (H.R. 4150)

We support this legislation. This survey will provide important data that will help the Department of Labor and other stakeholders determine the long-term impact of employment services for veterans. Because it will include measures on disability, this sur-

vey may also provide important information about a disability's impact on long-term employment.

Veterans Education Survey Act of 2014 (H.R. 4151)

We support this legislation. The survey's requirement to collect data including whether or not the individual has a service-connected disability may be helpful in determining the influence that disability had, if any, on an individual's choice of school; goal for education or training; and the services that the individual received from the school. We also appreciate the inclusion of a question regarding VA's VR&E program which we believe will help with efforts to determine why veterans who are eligible for VR&E might instead pursue other educational benefits.

Chairman Flores, Ranking Member Takano, and other distinguished members of the subcommittee, thank you for the opportunity to submit for the record VetsFirst's views on three of the Bills under consideration today.

VetsFirst, a program of United Spinal Association, represents the culmination of over 65 years of service to veterans and their families. We advocate for the programs, services, and disability rights that help all generations of veterans with disabilities remain independent. This includes access to VA financial and health care benefits, housing, transportation, and employment services and opportunities. Today, we are not only a VA-recognized national veterans service organization, but also a leader in advocacy for all people with disabilities.

Improving Veterans' Access to Vocational Rehabilitation and Employment Act of 2014 (H.R. 4037)

VA's Vocational Rehabilitation and Employment (VR&E) services are critical to helping eligible servicemembers and veterans with service-connected disabilities receive the skills and training necessary to help them reintegrate into the workforce and their communities. Without access to quality vocational rehabilitation services, many veterans with disabilities may be unable to successfully transition to the workforce and a long-term career. This legislation would make changes to aspects of VR&E's program in an effort to improve access to services for veterans with significant barriers to employment.

Section 4 of this legislation would allow veterans who are receiving rehabilitation assistance through VR&E and who are referred for assistance under Chapter 21 to receive assistance for needed housing modifications. Specifically, this provision would add to the types of disabilities that qualify for assistance under Chapter 21 those that are disabilities for which the veteran is eligible for VR&E and is referred by VR&E for housing modification assistance. Access to housing modifications is critical for the successful rehabilitation of many veterans with significant disabilities. Thus, VetsFirst supports efforts to increase accessibility to housing modifications.

Section 5 of this legislation would allow VA to prioritize the provision of VR&E services based on level of need. According to the legislation, a determination about need for services should include disability ratings, the severity of employment handicaps, qualification for a program of independent living, income, and any other ap-

propriate factors. VetsFirst supports access to services for veterans with disabilities who have the most significant need for vocational rehabilitation services. However, VetsFirst is concerned that establishment of such priorities could lead to problems in accessing services for veterans who could greatly benefit from VR&E services but who are not deemed a priority for VA.

Any prioritization must include provisions for ensuring that all eligible veterans receive needed services. Delays to receiving services that result from wait lists would be unacceptable and may impact long-term employment outcomes. Congressional review of any prioritization and its implementation would be helpful in ensuring continued access for all eligible veterans. An alternative to prioritization would be better workforce allocation within VR&E to ensure that VA is better able to meet the needs of all eligible veterans.

Section 6 of this legislation would amend the definition of "serious employment handicap." Currently, a serious employment handicap is defined as "a significant impairment, resulting in substantial part from a service-connected disability rated at 10 percent or more, of a veteran's ability to prepare for, obtain, or retain employment consistent with such veteran's abilities, aptitudes, and interests."[1] This legislation would modify that definition by requiring that a significant impairment result from a service-connected disability that is directly related to a veteran's ability to return to work.

If implemented, some veterans who are currently eligible for VR&E services under the current definition would likely no longer be able to receive these services. VetsFirst believes that veterans who need assistance with vocational rehabilitation should be able to access services if needed to help them be successful in returning to the workforce. Although these veterans may be eligible for programs that are available to all Americans seeking employment, access to those programs may be limited. VetsFirst believes that this legislation should be amended to provide access to training, educational, or other benefits that can provide impacted veterans with a pathway to employment.

Veterans Employment and Training Service Longitudinal Study Act of 2014 (H.R. 4150)

This legislation would require the Department of Labor to contract with a non-government entity to conduct a longitudinal study of veterans who received job counseling, training, and placement under Chapter 41 and those who did not seek the same assistance. The survey will include information about the disability ratings of individuals, their employment status, whether services provided by disabled veterans' outreach program specialist or local veterans' employment representatives were helpful, and whether the individual received VA educational assistance or participated in VA's VR&E program.

VetsFirst supports this legislation. This survey will provide important data that will help the Department and other stakeholders to determine the long-term impact of employment services for veterans. Because it will include measures on disability, this survey

[1] 38 U.S.C. § 3101(7).

may also provide important information about the impact it has on long-term employment.

Veterans Education Survey Act of 2014 (H.R. 4151)

This legislation would require VA to contract with a non-government entity to conduct a survey of individuals who have used or are using VA educational benefits under Chapters 30, 32, 33, and 35. The survey will collect important information about beneficiaries, including the services received from their educational institutions, opinions about the effectiveness of the VA programs through which they received benefits, and eligibility for and use of VA's VR&E program. Upon completion of the survey, VA will be required to provide Congress with the results of the survey and resulting recommendations.

VetsFirst supports this legislation. The survey's requirement to collect data including whether or not the individual has a service-connected disability may be helpful in determining the influence that disability had, if any, on an individual's choice of school; goal for education or training; and the services that the individual received from the school. We also appreciate the inclusion of a question regarding VA's VR&E program which we believe will help with efforts to determine why veterans who are eligible for VR&E might instead pursue other educational benefits.

We urge swift passage of this legislation.

Thank you for the opportunity to submit testimony concerning VetsFirst's views on these important pieces of legislation. We remain committed to working in partnership to ensure that all veterans are able to reintegrate in to their communities and remain valued, contributing members of society.

Information Required by Clause 2(g) of Rule XI of the House of Representatives

In fiscal year 2012 United Spinal Association served as a subcontractor to Easter Seals for an amount not to exceed $5000 through funding Easter Seals received from the U.S. Department of Transportation. This is the only federal contract or grant, other than the routine use of office space and associated resources in VA Regional Offices for Veterans Service Officers that United Spinal Association has received in the current or previous two fiscal years.

Heather L. Ansley is the Vice President of VetsFirst, which is a program of United Spinal Association.

Ms. Ansley began her tenure with the organization in December 2009. Her responsibilities include managing the public policy advocacy, veterans benefits services, and veterans outreach activities for VetsFirst. She also works to promote collaboration between disability organizations and veterans service organizations by serving as a co-chair of the Consortium for Citizens with Disabilities Veterans and Military Families Task Force.

Prior to her arrival at VetsFirst, she served as the Director of Policy and Advocacy for the Lutheran Services in America Disability Network.

Before arriving in Washington, D.C., she served as a Research Attorney for The Honorable Steve Leben with the Kansas Court of Appeals. Prior to attending law school, she worked in the office of former U.S. Representative Kenny Hulshof (R–MO) where she as-

sisted constituents with problems involving federal agencies. She also served as the congressional and intergovernmental affairs specialist at the Federal Emergency Management Agency's Region VII office in Kansas City, Missouri.

Ms. Ansley is a Phi Beta Kappa graduate of the University of Missouri-Columbia with a Bachelor of Arts in Political Science. Ms. Ansley also holds a Master of Social Work from the University of Missouri-Columbia and a Juris Doctorate from the Washburn University School of Law in Kansas.

She is licensed to practice law in the State of Kansas and before the United States District Court of Kansas.

ASSOCIATION OF PRIVATE SECTOR COLLEGES AND UNIVERSITIES, (APSCU)

EXECUTIVE SUMMARY

On behalf of APSCU, our member institutions and the military and veteran students we serve we welcome the opportunity to provide our views on legislation that will impact private sector colleges and universities and the military and veteran students enrolled at our institutions.

H.R. 2942: We recognize the value of VA advisory committees. The reestablishment of the Professional Certification and Licensure Committee of the Department of Veterans Affairs (VA) allows key stakeholders to make important recommendations to the Secretary which will assist the VA in its efforts to better serve our veteran students.

H.R. 3056, Warriors' Peer-Outreach Pilot Program Act: While we support the spirit of the Bill, we believe that other government and nongovernment programs are already providing peer-support and other similar services to veterans and we encourage Congress to review the existing efforts before creating a similar program. Additionally, the legislation makes a glaring omission. As drafted, the Bill only provides for piloting a peer-outreach program at public and private nonprofit institutions ignoring the fact that private sector colleges and universities educate more than 325,000 military veterans, servicemembers, and their family members.

H.R. 4151, Veterans Education Survey Act of 2014: We support gaining more information on the educational experiences of student veterans at postsecondary institutions. APSCU is committed to using strong data and evidence to strengthen our sector's support of the military and veterans' community and having good data will assist all institutions in their efforts to improve services to students.

Thank you for allowing APSCU to present our views on legislation impacting private sector colleges and universities and the military and veteran students we support. We welcome the opportunity to work with this subcommittee and members of Congress to support student veterans and student servicemembers.

STATEMENT OF MICHAEL DAKDUK, VICE PRESIDENT OF MILITARY AND VETERANS AFFAIRS, THE ASSOCIATION OF PRIVATE SECTOR COLLEGES AND UNIVERSITIES

Chairman Flores, Ranking Member Takano, and members of the subcommittee, I am writing on behalf of the Association of Private

Sector Colleges and Universities (APSCU), our member institutions, their faculty and the nearly four million students who attend private sector institutions. Our institutions provide a full range of higher education programs to students seeking career-focused education. We provide short-term certificate programs and diploma programs, two-and-four-year associate and baccalaureate degree programs, as well as a small number of master's and doctorate programs. We educate students for careers in over 200 occupational fields including information technology; allied health; automotive repair; business administration; commercial art; and culinary and hospitality management.

Since 2009, over one million veterans have used the Post-9/11 GI benefits to pay for their education. Private sector colleges and universities have educated more than 325,000. Private sector institutions continue to grow as the education choice for veterans because our schools offer focused academic delivery and flexible schedules, which veterans favor.

We understand the challenges that arise when our military men and women transition back to civilian life and enter into postsecondary education. Our military and veteran students are not the fresh-out-of-high school, first-time, full-time student living on campus and attending college thanks to the generosity of family. Our military and veteran students are like many of our new traditional students—working, with a spouse and children and paying for their education with money they have earned.

Servicemembers and veterans attend our institutions because we design courses to be relevant, concentrated, and suited to the personal goals of our students. This education foundation is of a particular benefit to military students and veterans seeking a promotion, advance in rank or supplementing skills attained during their service. This type of purposeful, tailored education ensures that veteran and military students nimbly move from the classroom onto their next academic or professional goal. The ability to offer courses on-base, online, and on the student's schedule is of tremendous value. Because of our longer school days and year-round academic programming, our students can often complete an associate's degree in 18 months or a bachelor's degree in just over three years.

Private sector colleges and universities are providing skills that put Americans back to work. Today, in America, there is a very real skills gap that is impeding job creation and economic growth. Our institutions are working to bridge this gap by combining post-secondary education and career skills in ways that equip veteran students with workplace skills.

Of veteran graduates, 75 percent earned certificates and associates degrees while 25 percent earned bachelor's and graduate degrees.

Forty percent of all the veteran graduates earned credentials in healthcare fields, one of the fastest growing industries in the country. These occupations range from medical, dental and veterinary assistants to nurses and technologists of various types with weighted average annual median salaries of $33,000 for certificate and associate degree holders to $56,000 for bachelor and graduate degree holders.

Another 20 percent of veteran graduates earned credentials in skilled trade programs, such as construction, maintenance and repair, and engineering technologies. According to the U.S. Bureau of Labor Statistics, the United States will need more than 1 million additional workers to fill these jobs by 2020. The weighted average annual median salary for graduates earning their certificates and associate degrees in these fields was $44,000.

Ten percent of veteran graduates earned awards in computer and information programs like computer programming, computer graphics, computer systems networking, and information technology. The weighted average annual median salary is $57,000 for certificate and associate degree holders and $89,000 for bachelor and graduate degree holders. The U.S. will need nearly 3 million additional computer and IT workers by 2020.

We want to work with you to provide our service members and veterans, particularly young combat veterans, with the tools and resources to make an informed, thoughtful decision about which educational opportunity will best prepare them for the workforce.

On behalf of APSCU, I welcome the opportunity to provide our views on legislation impacting private sector colleges and universities and military veterans enrolled at our institutions.

H.R. 2942: Having previously served on the VA Advisory Committee on Education, I recognize the value of VA advisory committees. The reestablishment of the Professional Certification and Licensure Committee of the Department of Veterans Affairs (VA) allows key stakeholders to make important recommendations to the Secretary which will assist the VA in its efforts to better serve our veteran students.

H.R. 3056, Warriors' Peer-Outreach Pilot Program Act: The VA has recently expanded the Vet Success on Campus program to 94 sites nationwide. Outside of the government, the nonprofit group Student Veterans of America (SVA) has established over 900 campus-based veteran groups and is still growing. The American Legion, too, has created posts on several campuses to support student veterans. The Veterans of Foreign Wars (VFW) has created an outreach program where VFW posts engage and support student veterans in their communities. Finally, colleges and universities already utilize the VA work-study program to support student veterans. While we support the spirit of the Bill, we believe there are other government and nongovernment programs that exist to provide peer-support and other similar services to veterans and we encourage Congress to review the existing efforts as it considers creating a similar program. Additionally, the legislation makes a glaring omission. As drafted, the legislation only provides for piloting a peer-outreach program at public and private nonprofit institutions ignoring the fact that private sector colleges and universities educate more than 325,000 military veterans, servicemembers, and their family members. If Congress wants to reach a broad group of students, it needs to include private sector colleges and universities in this endeavor.

H.R. 4151, Veterans Education Survey Act of 2014: We support gaining more information on the educational experiences of student veterans at postsecondary institutions. APSCU is committed to using strong data and evidence to strengthen our sector's support

of the military and veterans' community and having good data will assist all institutions in their efforts to improve services to students.

Thank you for allowing APSCU to present our views on legislation impacting private sector colleges and universities and the military and veteran students we support. We welcome the opportunity to work with this subcommittee and members of Congress to support student veterans, student servicemembers, and their families.

SENIOR EXECUTIVES ASSOCIATION

March 24, 2014
The Hon. William Flores, and Hon. Mark Takano
Subcommittee on Economic Opportunity,
Cannon House Office Building,
Washington, DC 20515

Dear Chairman Flores and Ranking Member Takano:

The Senior Executives Association (SEA) represents the interests of career federal executives in the Senior Executive Service (SES), and those in Senior Level (SL), Scientific and Professional (ST), and equivalent positions. On behalf of the Association, and of SEA members who serve at the Department of Veterans Affairs (VA), I am writing to oppose H.R. 4031, the Department of Veterans Affairs Management Accountability Act of 2014. This proposal not only sets the dangerous precedent of politicizing the career executive corps, it will not achieve the goal we all share—to provide the Nation's veterans with the highest quality care.

The stated purpose of H.R. 4031 is to hold senior level employees accountable by allowing the Secretary of the VA to terminate Senior Executives "in the same manner as the removal of a professional staff member employed by a Member of Congress." SEA questions the necessity of this Bill since Senior Executives can already be removed for poor performance.

We will appreciate your considering the following points since they speak to both the lack of justification for the Bill, but also the danger of enacting this legislation.

Annually, VA Senior Executives are subjected to a multi-step approval process before being granted their final performance rating for the year. They are given initial ratings by their direct supervisors which are then reviewed by Performance Review Boards at the subcomponent (VBA/VHA/NCA) level, and subsequently go to a VA-wide Performance Review Board. At each level the Performance Review Board has the option to increase, lower, or maintain the rating level based on a review of the Senior Executive's performance. Senior Executives are rated on a wide variety of categories based of their individual performance plans and organizational performance. Finally, the rating goes to the agency head for review-in this case, Secretary Shinseki—who makes a final decision whether to raise, maintain or lower the rating. According to Secretary Shinseki (in a letter to Chairman Miller, 1/31/14), "Results, or lack thereof, for which employees and executives are responsible and accountable, are factors when evaluating performance. This includes levels and outcomes of patient care, results of relevant in-

vestigations and audits, as well as individual and organizational performance and results."

Should poor performance be evident based on the rating process, an agency can take action to remove the Senior Executive. By law, Senior Executives must be removed from the SES if they receive two unsatisfactory ratings within five consecutive years or two less than fully successful ratings within three consecutive years.

In a hearing before the House Veterans Affairs Committee in February, Undersecretary for Health Robert Petzel stated that in the past year 3,000 employees at the VA had been removed, including fourteen Senior Executives over the past two years. In the letter to Chairman Miller, Secretary Shinseki stated: "I believe VA has sufficient authority to take swift action and hold employees and executives accountable for performance."

Instead of ensuring strong performance (by which Senior Executives can already be held accountable through consistent, fair and transparent application of the existing performance management system), this legislation could well have the unintended effect of politicizing the career SES. Allowing the Secretary to terminate Senior Executives would place the Executives at the mercy of media and Congressional pressure, rather than providing an honest assessment of performance and accountability.

In the 19th century the federal service was professionalized under the Pendleton Act to put an end to the patronage system that had allowed the civil service to become an arm of whichever political party held power at the time. To guarantee fair treatment of employees and preserve the integrity of the civil service, protections were put in place to provide due process for federal employees and a barrier to undue political influence so that federal employees could fairly carry out the laws passed by Congress without fear of political retribution.

As it currently stands, career Senior Executives enjoy far fewer protections than other federal employees. The unfortunate reality of the past few years has been that the rhetoric surrounding federal employees is largely driven by optics rather than the policy needs of the American people. SEA is concerned that H.R. 4031 would allow Senior Executives to be subjected to a trial by media that pressures political appointees to remove them without cause. With fear of retribution by an agency head, the career SES could well become a politicized corps that bends with the political winds, rather than serving the American people free from political influence. SEA strongly supports holding employees accountable for their performance. Should an employee need to be removed, then an agency already has the means to do so. Federal employees are routinely fired and red tape is not the problem.

SEA has become aware of some Veterans Service Organizations that are advocating for providing the Secretary of VA the same firing authority as the Defense Secretary. This is based on a quote by former Defense Secretary Robert Gates where he talked about firing people at the top to change the culture during the Walter Reed scandal. However, the people that former Secretary Gates fired in order to change the culture were political appointees. Further, there appears to be confusion between career Senior Executives and political appointees generally. Across the government,

and at the VA, there are non-career Senior Executives who are political appointees, and, like all political appointees, they serve at the pleasure of the agency head. It is unclear to SEA that this distinction between career and political appointees is being accurately applied in the case of the VA.

In discussing this legislation with many Congressional offices, it appears that the underlying concern has more to do with the SES performance appraisal process than the accountability process. SEA has long advocated for stronger transparency and fairness for the SES performance management system and stands ready to work with you to strengthen the system, rather than unfairly punishing Senior Executives through a measure that will do nothing to truly improve the quality of care and service given to the Nation's veterans.

I look forward to answering any questions about the SES system that you may have.

Sincerely,

Carol A. Bonosaro, President

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