

**WRITTEN STATEMENT OF THE DEPARTMENT OF DEFENSE
FOR THE RECORD
REGARDING
PENDING LEGISLATION**

BEFORE THE

**HOUSE COMMITTEE ON VETERANS AFFAIRS'
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY**

May 22, 2018

Chairman Arrington, Ranking Member O'Rourke, and members of the Subcommittee, the Department of Defense (DoD) appreciates the opportunity to provide this statement for the record addressing legislation pending before the Subcommittee. This statement will focus on only those bills that will affect DoD; we defer to the Department of Veterans Affairs to provide responses on those bills with no significant DoD impacts.

H.R. 5649, Navy SEAL Chief Petty Officer William "Bill" Mulder (Ret.) Transition Improvement Act of 2018

This bill amends titles 10 and 38, U.S. Code and directs the Secretaries of Veterans Affairs, Defense, Labor, and Homeland Security, and the Administrator of the Small Business Administration to take certain actions to improve transition assistance to members of the Armed Forces who separate, retire, or are discharged from the Armed Forces and for other purposes.

The Department objects to this proposed legislation due to significant concerns identified during our review. Current interagency data and Service member feedback availability indicates that the Transition Assistance Program (TAP) works well in meeting the needs of our transitioning Service members. Despite anecdotal comments, the Department has yet to see strong data or evidence to the contrary that would indicate the need to revamp TAP with remedial legislation. Further, we have several interagency evaluation efforts underway (for example, a quasi-experimental study led by the Department of Labor, a long-term outcomes study led by Army, and a Post-Separation Assessment led by the Department of Veterans Affairs) that will provide even more robust evidence to determine what improvements should be made to the TAP. Therefore, this proposed legislation is premature and likely unnecessary for improving Service member transition outcomes. While refinements and improvements can always be made to programs (we continue to update this program annually), changes must be

founded on evidence-based decision making. As such, we urge Congress to allow time for the TAP interagency governance team to collect and analyze the data from our currently in-progress interagency evaluation efforts, before any mandated changes to the TAP be enacted.

DoD and its partners are extremely careful when implementing changes that impact approximately 200,000 transitioning Service members (including National Guard and Reserve) each year. The Department strongly recommends making program changes that uses evidence-based decisions, centered on program evaluation efforts. When changes are implemented, we prefer to experimentally evaluate TAP changes via a pilot study before full-scale implementation. If the pilot confirms the proposed changes result in a more positive outcome for transitioning Service members, we would then implement them more broadly.

H.R. 2409, Servicemembers Civil Relief Act Amendment to Terminate Service Contracts

This bill amends the Servicemembers Civil Relief Act (SCRA) to allow a Service member to terminate a commercial mobile, telephone exchange, Internet access, or multichannel video programming service contract at any time after the date the service member receives military orders to relocate for at least 90 days to a location that does not support such service contract. The Department supports this provision. Currently, the law permits Service members to terminate vehicular and property leases as well as cellular telephone service or telephone exchange service contracts. This provision is a common sense expansion that ensures Service members are not forced to continue paying costly service contracts when they are required to move because of military obligations before completion of those service contracts.

Service members Civil Relief Act Amendment to Terminate Leases by Spouse

This amendment to the SCRA allows for the termination by a spouse of a lessee of certain leases when the lessee dies while in military service. The Department supports this provision. Spouses often move to locations they would not otherwise relocate to because of the military orders of their Service member spouse. When the Service member dies in military service, the spouse may be forced to pay costly leases that they entered into only because of their spouse's military service. This provision would rectify the issue and provide relief to a grieving spouse from leases that are no longer necessary following an active duty spouse's death.

The Department of Defense thanks the Subcommittee for the opportunity to submit a testimony for the record. We're grateful for your continuing support of our Service members and Veterans.