



KEEPING OUR PROMISE TO
AMERICA'S VETERANS

Department of Wisconsin

**STATEMENT OF
AI LABELLE
BENEFITS PROTECTION TEAM LEADER
DISABLED AMERICAN VETERANS
DEPARTMENT OF WISCONSIN
FOR THE RECORD OF THE
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
UNITED STATES HOUSE OF REPRESENTATIVES
OVERSIGHT FIELD HEARING
"EXAMINING TRANSITION SERVICEMEMBERS EXPERIENCE"
LACROSSE, WISCONSIN
AUGUST 23, 2024**

Chairman Van Orden and Ranking Member Levin:

Currently, I serve as the DAV (Disabled American Veterans) Wisconsin Benefits Protection Team Leader (BPTL) and Chairman of the DAV National Interim Legislation Committee, a position that I have held for the past nine (9) years.

As you are aware, DAV is a Congressionally Chartered, VA Accredited, non-profit charitable veterans service organization (VSO) comprised of over one million wartime service-disabled veterans, nationwide. In Wisconsin, we have over 14,000 members.

For more than a century, DAV has been dedicated to a single purpose: empowering our nation's heroes and their families by helping to provide the resources they need and ensuring our nation keeps the promises made to them.

All our members are wartime wounded, injured or ill veterans, many of them severely. They have sacrificed much in defense of our freedoms. Chairman Van Orden, I suspect that you understand the extent of these sacrifices, given your military background.

Mr. Chairman, your authorship of eleven (11) DAV-supported bills and cosponsoring of twenty-six (26) DAV-supported bills in the 118th Congress is evidence of this understanding. Ranking Member Levin your authorship of four (4) DAV-supported bills and cosponsoring of thirty-five (35) DAV-supported bills in the 118th Congress shows the same understanding. The No. and Title of the bills can be found in the Appendix.

Thank you for the opportunity to relay my transition experience from active-duty United States Navy to the civilian sector. I enlisted in the United States Naval Reserves on 3 December 1965 and went immediately on active duty. My main duty station was the *USS Okinawa LPH-3*, an aircraft carrier strictly for helicopters.

In my first year, we were homeported in Norfolk, Virginia and were part of the Atlantic Fleet (LANTFLT). In December 1966, it was announced that *Okinawa* would be transferred to the Pacific Fleet (PACFLT), homeported in San Diego, California.

On 24 January 1967, the ship left Norfolk and arrived in San Diego on 8 February 1967, after transversing the Panama Canal. Eventually, the ship arrived On Station off the coast of Vietnam on 25 April 1967 as part of Amphibious Ready Group (ARG) Alpha.

Over the next seven (7) months, we performed nine (9) amphibious landing operations, flying marines inland into northern Vietnam near the DMZ and when the operations concluded flew them back. During the operation, the *Okinawa* became a Combat Medical Hospital with the wounded on the port side of the hangar deck and the KIAs (Killed-in-Action) on the starboard side.

We returned to San Diego on 5 December 1967, and I was discharged from active duty on 15 December 1967.

One of my duties while on active duty was working in the Personnel Office as a Personnelman (PN). This entailed discharging service members from active duty. At that time, the process was short and sweet. It included a brief interview, signing of some forms with a physical liability waiver being one of them, and ended with the individual being given his discharge papers including a DD 214.

Usually, the person being discharged, called a 'short timer,' was rarely focused on the process. They couldn't wait to get back to the 'world.' When I was discharged, I received my discharge papers, a plane ticket, and told 'Good Luck.' Today, the discharge process is more professional.

Congress established the military Transition Assistance Program (TAP) in the 1991 National Defense Administration Act (NDAA). Initially, TAP was aimed at helping service members who were involuntarily separated due to forced withdrawals. Over time, TAP has expanded to offer pre-separation counseling and various two-day track courses on employment, education, and entrepreneurship.

The TAP format is guided by:

- Title 10, U.S.C. Sections 1142, 1143, and 114
- National Defense Authorization Act (NDAA) Fiscal Year (FY) 19 – John S. McCain – Section 552 – Improvement to TAP
- NDAA FY 20 – Sections 570c, 570f

The format can be found in Department of Defense Instruction (DoDI) 1332.35 – Transition Assistance Program (TAP) for Military Personnel.

It is my belief and the belief of DAV that TAP will be more effective with the mandated participation of DAV and other VSOs. Currently, VSO participation is at the discretion of the commanding officer at the military installation which has led to minimal participation.

VSOs are valuable resources for assistance and guidance. They provide advocacy, education, and other support for the unique issues facing veterans. Many have their own job referral and registration services, sponsor job fairs, and provide mentors and networking opportunities. VSOs also offer a wide variety of other services.

Chairman Van Orden, you recognized the value of VSOs by introducing H.R. 3933: TAP Promotion Act on June 7, 2023. The bill amends title 10, United States Code, Section 1142(b) to authorize representatives of veterans service organizations to promote certain benefits available to veterans in the course of pre-separation counseling under the Transition Assistance program of the Department of Defense. The presentation must be standardized and should not exceed one hour. The House VA Committee marked up the bill on July 26, 2023.

Subsequently, the language of H.R. 3933 was incorporated into H.R. 7732: ETS Act or Enhancing the Transitioning Servicemember's Experience Act, which was introduced by you, Mr. Chairman, on March 19, 2024. The bill was forwarded by the Subcommittee on Economic Opportunity by voice vote to the full Committee on Veterans' Affairs on April 17, 2024.

TAP offers an avalanche of information to separating members of the Armed Forces, perhaps too much. Human nature being what it is, I suspect the lack of focus which was prevalent nearly sixty (60) years ago, may still exist in some today.

In my opinion, the inclusion of a VSO presentation in the TAP Program will help make the transition of separating Armed Forces members into the civilian sector more successful.

As DAV testified on March 20, 2024, before the House VA Subcommittee on Economic Opportunity on a draft of H.R. 7732, "Participation by veteran service organizations, like DAV and others in the TAP program is essential for service members to gain a full understanding of entitlements and free assistance and representation available to them upon discharge from military service." The full testimony can be found in the Appendix.

The passage of H.R. 3933 or H.R. 7732 is vital for the improvement of TAP.

Respectfully Submitted,

Sincerely,



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United States House of Representative – Wisconsin

Rep. Derrick Van Orden (CD3) – 37

Sponsor (Bill's Author) – 11

1. H.R. 7971: To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide timely equitable relief to an individual who suffers a loss based on an administrative error by the Secretary, and for other purposes.
2. H.R. 7732: ETS Act
3. H.R. 3933: TAP Promotion Act
4. H.R. 8646: Modernizing the Veterans On-Campus Experience Act of 2024
5. H.R. 8592: Warriors to Workforce Act
6. H.R. 5914: VETT Act
7. H.R. 7920: AG VETS Act
8. H.R. 7323: To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to disapprove courses of education offered by a public institution of higher learning that does not charge the in-State tuition rate to a veteran using certain educational assistance under title 10 of such Code.
9. H.R. 1799: EMPLOY VETS Act Affairs
10. H.R. 7347: To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to report on whether the Secretary will include certain psychedelic drugs in the formulary of the Department of Veterans Affairs.
11. H. Res. 535: Expressing support for the designation of November 12, 2023, as "National Warrior Call Day" and recognizing the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield.

Cosponsor – 26

1. H.R. 1282: Major Richard Star Act
2. H.R. 1609: Survivor Benefits Fairness Act
3. H.R. 984: Commitment to Veteran Support and Outreach Act

4. H.R. 1753: To ensure that certain members of the Armed Forces who served in female cultural support teams receive proper credit for such service.
5. H.R. 3790: Justice for ALS Veterans Act of 2023
6. H.R. 3651: Love Lives on Act of 2023
7. H.R. 542: Elizabeth Dole Home Care Act of 2023
8. H.R. 6531: TRAIN VA Employees Act
9. H.R. 7896: VETS Opportunity Act of 2024
- 10.H.R. 7543: Guard and Reserve GI Bill Parity Act of 2024
- 11.H.R. 6380: Wings for Veterans Act
- 12.H.R. 5702: Expanding Access for Online Students Act
- 13.H.R. 5147: Investing in VETS Act
- 14.H.R. 1669: VET-TEC Authorization Act of 2023
- 15.H.R. 2830: Veteran Improvement Commercial Driver License Act of 2023.R
- 16.H.R. 6916: To require the Comptroller General of the United States to submit a report regarding outreach provided to veterans about the availability of supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008.
- 17.H.R. 6373: Veterans STAND Act
- 18.H.R. 5530: VA Emergency Transportation Access Act
- 19.H.R. 522: Deliver for Veterans Act
- 20.H.R. 2809: EHR Program RESET Act of 2023
- 21.H.R. 6538: VA Correct Compensation Act of 2023
- 22.H.R. 4278: Restore Department of Veterans Affairs Accountability Act of 2023
- 23.H.R. 7163: SCHEDULES Act of 2023
- 24.H.R. 6873: To direct the Secretary of Veterans Affairs to include information relating to the rate of suicide among covered Reserves in each National Veteran Suicide Prevention Annual Report of the Office Mental Health and Suicide Prevention of the Department of Veterans Affairs.
- 25.H.R. 6330: Veterans' Sentinel Act
- 26.H.R. 3811: Veterans Mental and Behavioral Health Quality of Care

United States House of Representative – California

Rep. Mike Levin (CD49) – 39

Sponsor (Bill's Author) – 4

1. H.R. 984: Commitment to Veteran Support and Outreach Act
2. H.R. 7543: Guard and Reserve GI Bill Parity Act of 2024
3. H.R. 1786: GROW Act
4. H.R. 6916: To require the Comptroller General of the United States to submit a report regarding outreach provided to veterans about the availability of supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008.

Cosponsor – 35

1. H.R. 1282: Major Richard Star Act
2. H.R. 3933: TAP Promotion Act
3. H.R. 3489: Restore Veterans' Compensation Act of 2023
4. H.R. 2971: Veterans Claims Education Act of 2023
5. H.R. 1139: GUARD VA Benefits Act
6. H.R. 3651: Love Lives on Act of 2023
7. H.R. 1083: Caring for Survivors Act of 2023
8. H.R. 542: Elizabeth Dole Home Care Act of 2023
9. H.R. 6531: TRAIN VA Employees Act
10. H.R. 1767: Student Veteran Benefit Restoration Act
11. H.R. 3738: Veterans Economic Opportunity and Transition
12. H.R. 6492: EXPLORE Act
13. H.R. 7490: Hire Veterans Act
14. H.R. 3981: Isakson-Roe Education Oversight Expansion Act
15. H.R. 5014: Employing Veterans to Feed America Act
16. H.R. 3601: Student Veteran Work Study Modernization Act
17. H.R. 1169: VA E-Notification Enhancement Act
18. H.R. 5530: VA Emergency Transportation Access Act
19. H.R. 2414: CHAMPVA Children's Care Protection Act of 2023
20. H.R. 1278: DRIVE Act
21. H.R. 522: Deliver for Veterans Act

- 22.H.R. 3698: Feed Hungry Veterans Act of 2023
- 23.H.R. 2410: VET CARE Act of 2023
- 24.H.R. 6538: VA Correct Compensation Act of 2023
- 25.H.R. 3677: Veterans Healthcare Improvement Act
- 26.H.R. 645: Healthy Foundations for Homeless Veterans Act
- 27.H.R. 491: Return Home to Housing Act
- 28.H.R. 5492: Veteran Families Health Services Act of 2023
- 29.H.Res. 851: Expressing the support of the House of Representatives for the naming of new or undedicated facilities of the Department of Veterans Affairs after women veterans and minority veterans in order to reflect the diversity of all who have served in the Armed Forces of the United States.
- 30.H.R. 8442: Setting the Table for Transition Act
- 31.H.R. 8340: Housing Unhoused Disabled Veterans Act
- 32.H.R. 4569: Veteran Service Recognition Act of 2023
- 33.H.R. 8418: Lethal Means Safety Training Act
- 34.H.R. 4157: Not Just a Number Act
- 35.H.R. 8560: End Veteran Homelessness

**STATEMENT OF MARQUIS D. BAREFIELD
DAV ASSISTANT NATIONAL LEGISLATIVE DIRECTOR
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 20, 2024**

Draft bill to make improvements to certain programs for a member nearing separation, or for a veteran who recently separated, from the Armed Forces

The transition from military service to civilian life is very difficult for many veterans who must overcome obstacles to successfully obtain employment. Current law authorizes comprehensive transition assistance benefits and services for separating service members and their spouses. The Transition Assistance Program (TAP) program was created to help our separating service members successfully transition to the civilian workforce, start a business, or pursue training or higher education and is now mandatory for active-duty personnel.

This draft legislation would make changes to the program parameters of TAP. Based on certain criteria, a member may have up to three to five days of entitlement to the program. Certain members of the reserve component can request a waiver for pre-separation counseling if they have received pre-separation counseling during the three-year period preceding such request.

TAP counseling would not be given by a member of the armed forces or a civilian employee. Pre-separation counseling must be provided in person to the extent possible. If the member cannot appear in person, then counseling can be provided remotely. As part of the pre-separation process, a member that is separating, retiring or is discharged from service will have their contact information and a determination by the releasing branch of service provided to the VA as part of the VA Solid Start Program.

Veterans Service Organizations (VSOs) are allowed to provide an hour-long presentation during pre-separation briefings. VSO briefings provide information on how the organization can assist the member obtain benefits from the VA and are not permitted to encourage a member to join their organization during the briefing. Participation by veteran service organizations, like DAV and others in the TAP program is essential for service members to gain a full understanding of entitlements and free assistance and representation available to them upon discharge from military service. An annual report is required to be furnished for TAP participation and VSO presentations.

This legislation has a Department of Labor (DOL) portion that encourages the use of its Employment Navigator and Partnership Program. The DOL program has various

components, to include private sector culture, resume writing, career networking and opportunities for spouses to use the program.

This legislation would also implement a three-year pilot program for military spouses. This program would be on a voluntary basis and include a curriculum, counseling and be carried out on not less than four military bases. At the conclusion of the program, a report would be required by the Department of Defense on the success of the pilot program and note if it should be made permanent.

An area of concern for DAV is the provision in this draft legislation that mentions “No member shall be provided with their DD Form 214 [military discharge document] until they have completed their pre-separation counseling. The only exceptions are for members who are being retired or separated for disability and those who are receiving discharges that are not characterized as honorable or general.” Besides the noted exceptions, it is not clear how the program would handle a situation beyond the service member’s control that would prevent them from finishing the required counseling. As such, it appears this legislation would punish the service member by not allowing them to receive their DD-214 in a timely manner.

In accordance with DAV Resolution No. 113, we support this draft legislation and urge Congress to provide comprehensive oversight of the TAP program, its workshops, training methodology and delivery of services, and the collection and analysis of course critiques. We recommend changes to the DD-214 section of this draft legislation as noted above.