

**STATEMENT OF
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THE AMERICAN LEGION
BEFORE THE
SENATE VETERANS AFFAIRS COMMITTEE
AND THE
SENATE ARMED SERVICES COMMITTEE**

OCTOBER 18, 2023

Chairmen Tester and Reed, Ranking Members Moran and Wicker, and distinguished senators, on behalf of National Commander Daniel J. Seehafer and the 1.6 million dues-paying members of The American Legion, we thank you for the opportunity to testify on military to civilian transition. The American Legion is directed by active Legionnaires who dedicate their time and resources to serve veterans, servicemembers, and their families. As a resolution-based organization, our positions are guided by more than 104 years of advocacy and resolutions that originate at the grassroots level of our organization. Every time The American Legion testifies, we offer a direct voice from the veteran community to Congress.

Military transition programs should not operate independently of recruiting and retention efforts. These closely connected efforts are integral to the military's personnel management strategy. Transition programs are directly connected to recruiting as they demonstrate the service branch's commitment to informing potential recruits about what to expect during and after their military service. Knowing that support and assistance are available during transition from military to civilian life can be attractive for individuals considering military service for education and training opportunities. Additionally, transition programs play a key role in retention by offering servicemembers the confidence that they will be well-prepared for life when they leave the military. This can make servicemembers more likely to stay in the military because they feel supported and informed about their post-service options.

However, until the Department of Defense (DOD) treats transition as part of recruiting and retention and as a key component of manpower and personnel programs, outcomes for servicemembers throughout the military lifecycle cannot be optimized. In accordance with Resolution No. 102: *Expansion of the Department of Defense's Transition Assistance Program (TAP) to include Ancillary Programs and Services*, The American Legion supports legislation that encourages the DOD to make improvements in service delivery, business processes, and technology innovations.¹

¹ The American Legion Resolution No. 102 (2018): *Expansion of the Department of Defense's Transition Assistance Program (TAP) to include Ancillary Programs and Services*, <https://archive.legion.org/node/588>.

Immediate TAP Improvements

Established through the Fiscal Year (FY) 1991 National Defense Authorization Act (NDAA), TAP is a cooperative federal interagency effort led by the DOD, the Department of Veterans Affairs (VA), the Department of Labor (DOL), the Department of Education (ED), the Department of Homeland Security (DHS), and the Office of Personnel Management (OPM), to provide assistance, resources, and training to retiring and separating active duty servicemembers, Guard and Reserve members, and their spouses.² The TAP's governance structure resides under the Transition Assistance Program Executive Council (TAP-EC) and the Joint Executive Committee (JEC). The JEC is the primary Federal interagency body, comprised of the Under Secretary of Defense for Personnel and Readiness and the Deputy Secretary of Veterans Affairs. The JEC oversees transition assistance activities for active duty and reserve servicemembers. The TAP-EC comprises multiple working groups to provide input and oversight into TAP's course curriculum, data sharing, performance management, communication, and supportive services.

The TAP's most recent significant update came from provisions in the FY 2019 NDAA, which requires servicemembers to begin TAP no later than 365 days before an anticipated separation (or release from active duty) or 24 months before retirement.³ It comprises three mandatory days of instruction: DOD Transition Day, VA Benefits and Services, and DOL Employment Fundamentals. Additionally, tailored two-day classes, known as career tracks, are available on entrepreneurship, vocational training, employment, or higher education.

As part of the FY 2019 NDAA inclusions, servicemembers are assigned into tiers by assessing a servicemember's transition preparedness level when receiving individualized pre-TAP counseling. Counselors assign servicemembers to one of three tiers based on several factors, including rank, term of service, disability, health, military occupational specialty, education, and employment history:

- Tier 1 servicemembers are considered well-prepared for transition and require minimal support. They are only required to attend the first three days of TAP.
- Tier 2 servicemembers are characterized as potentially in need of transition assistance. They are only required to attend the first three days of TAP but are encouraged to attend at least one of the additional courses.
- Tier 3 servicemembers are considered poorly prepared for their transition and require significant transition support, making the two-day career track completion mandatory.

The U.S. Government Accountability Office (GAO) found in its December 2022 report on TAP that 22% of tier 3 servicemembers did not attend or complete their 2-day career tracks. Moreover,

² National Defense Authorization Act for Fiscal Year 1991, Pub. L. No. 101-510, Title V, §502, 104 Stat. 1551 (1990).

³ National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232, Title V, §552, 132 Stat. 1769 (2018).

the GAO found that 70% of transitioning servicemembers (TSMs) did not start TAP at least one year in advance as mandated by law.⁴

Delaying TAP participation reduces the window for transitioning servicemembers to learn about post-service programs, apply for earned benefits, and evaluate their own transition needs in time to seek support. With difficulties ensuring servicemember timeliness and full participation in the program offerings, more must be done to provide successful outcomes.

The American Legion also believes that technical language from the FY 2019 NDAA is preventing the service branches from identifying more tier 2 and tier 3 servicemembers. Specifically, they have reported that the factors of "disability" and "character of discharge" are largely incompatible with the requirement that the TAP process begin 365 days prior to discharge. Section 571 of the Houses' FY 2024 NDAA, *Amendments to Pathways for Counseling in the Transition Assistance Program*, makes allowance for a shorter timeline by changing this language to "potential or confirmed disability" and "potential or confirmed character."⁵ The American Legion supports this section and encourages adoption into the final NDAA. Further, The American Legion urges Congress to ensure that DOD and each service branch implement GAO's recommendations outlined in their December 2022 report regarding TAP timeliness and report servicemembers attendance to DOD. This data can assist DOD efforts to optimize performance outcomes.

Improving TAP Accessibility and Portability

Outside of the TAP curriculum, the VA offers Military Life Cycle (MLC) modules that allow servicemembers and their families to access information about the VA's services and benefits at their own time, in-person or online.⁶ The information sessions in the 14 modules are comprehensive and address specific topics in-depth, including VA Education Benefits, the VA Home Loan Guaranty Program, and Community Integration Resources.

The VA's MLC offers a promising best practice for the government agencies involved in TAP to provide micro-learning opportunities to servicemembers throughout their military service, increasing transition readiness outcomes well before TAP. However, VA has reported that between FY 2022 and FY 2023 Q2, only 30,191 participants viewed the modules.⁷ It is not enough for the VA to design high-quality training material; there must also be a communications plan to reach the intended audience and data collection on usage metrics.

In line with the recommendations above, The American Legion stresses the need for TAP delivery modernization. A great example is the delivery of remote TAP training following the COVID-19 pandemic, allowing for the virtual delivery of transition resources and training. The American Legion recommends developing a mobile app, which can serve as a valuable addition to the

⁴ U.S. Government Accountability Office, "Servicemembers Transitioning to Civilian Life: DOD Could Enhance the Transition Assistance Program by Better Leveraging Performance Information.", May 2023, GAO-23-106793, <https://www.gao.gov/assets/gao-23-106793.pdf>.

⁵ H.R. 2670, National Defense Authorization Act for Fiscal Year 2024, Title V, §571.

⁶ U.S. Department of Defense, "TAP Online Courses," www.TAPevents.mil/courses.

⁷ Data provided by VBA June 16, 2023.

programs' virtual offerings by providing servicemembers with an extensive toolkit of on-demand transition-related content. A mobile app would make TAP resources and information easily accessible to servicemembers and veterans on their smartphones or tablets, allowing them to conveniently access important materials as often as they want while allowing users to customize their career and transition plans and access content most relevant to individual needs and goals. Additionally, the application should also permit offline access, allowing military personnel deployed in areas with limited connectivity to provide access to critical information and resources. The American Legion cautions, however, that the mobile app should be implemented thoughtfully to ensure its effectiveness and usability. It should not be hastily developed in a vacuum, and its interagency partners and community organizations, such as veteran service organizations, should be able to provide feedback.

Modernizing SkillBridge

The SkillBridge Program is a DOD initiative that facilitates the transition of active-duty servicemembers to civilian employment by allowing them to participate in job training, internships, or apprenticeships with civilian employers during their last 180 days of military service. The program is designed to help servicemembers gain valuable civilian work experience and skills to make their transition to the civilian workforce smoother and more successful. SkillBridge is considered a win-win for servicemembers and civilian employers. Servicemembers gain valuable experience and skills to help secure meaningful civilian employment. At the same time, employers benefit from the unique talents, work ethic, and leadership qualities that military personnel bring to the workplace. The program currently has 3,745 authorized employers.⁸ Since its inception in 2011, more than 50,000 servicemembers have participated in SkillBridge⁹, with 22,548 members participating in the program in FY 2022.¹⁰

Despite SkillBridge's popularity, it can only be useful to servicemembers if they are actually provided with timely, easy access. Junior enlisted servicemembers, individuals identified as poorly prepared for their transition, servicemembers with families and dependents, and those with unplanned transitions may not consider applying for SkillBridge opportunities due to various barriers. Access to SkillBridge still depends on commander approval, and its accessibility varies by service branches. For example, the Navy restricted access to the program based on servicemembers' rank and time until discharge due to the command's inability to backfill participants' positions, creating personnel gaps that negatively impact unit operations.¹¹ This

⁸ Department of Defense, "Authorized SkillBridge Organizations," <https://skillbridge.osd.mil/organizations.htm>.

⁹ Lopez, Todd C. "Service Members Find Civilian Career Opportunities Through SkillBridge," DOD News, June 3, 2022, <https://www.defense.gov/News/Feature-Stories/story/Article/3052396/service-members-find-civilian-career-opportunities-through-skillbridge>.

¹⁰ J. Margarita Devlin, "Statement of J. Margarita Devlin, Deputy Assistant Secretary Veterans' Employment and Training Service U.S. Department of Labor before the Subcommittee on Economic Opportunity Committee on Veterans' Affairs U.S. House of Representatives," 2023, <https://docs.house.gov/meetings/VR/VR10/20230517/115740/HHRG-118-VR10-Wstate-DevlinM-20230517.pdf>.

¹¹ Memo from CNO Washington DC to NAVADMIN. March 3, 2023, <https://mynavyhr.navy.mil/Portals/55/Messages/NAVADMIN/NAV2023/NAV23064.txt?ver=Y3LXOQO9wdHMUhcDfhWCrg%3D%3D>

friction between operational demands and transition demands results in reduced opportunities for servicemembers to participate in SkillBridge and other similar transition programs.

The American Legion urges Congress to authorize SkillBridge funding to invest in improved management and reporting requirements. DOD should be able to manage applications, approval, and outcomes for all SkillBridge programs through a platform that is accessible by both employers and garrison transition centers. Every installation should offer this valuable transition program, and every servicemember should have the opportunity to apply for participation. Furthermore, The American Legion urges that service branch commanders offer servicemembers voluntary extensions past their separation date to allow participants interested in attending or in the process of completing the Skillbridge program. Finally, a modernized SkillBridge program must be able to empower employers to replicate best practices by identifying them. The American Legion urges Congress to require DOD to report annually to Congress on SkillBridge participation and outcomes.

Asserting the Military Life Cycle

America has no shortage of transition programs and benefits available to servicemembers. According to American Legion analysis, at least 27 DOD and federal programs support the transition to civilian life (see APPENDIX). Of these, DOD's Military-Civilian Transition Office (MCTO) provides oversight for only three: TAP, the Yellow Ribbon Reintegration Program (YRRP), and the SkillBridge Program.¹² Notably, SkillBridge was not a part of MCTO until 2023, coinciding with excessive delays to program approval.¹³

Notwithstanding the reorganization of SkillBridge in 2023 and the YRRP in 2020, DOD has made little progress in integrating policy and program oversight of the numerous transition programs into one accountable office within Personnel and Readiness (P&R). Despite these programs receiving funding from DOD, service branches, and other federal agencies, P&R has indicated that the challenges and priorities of recruiting and retention are the most important issues and demand far more attention. While this rationale makes sense for now, it neglects the long-term value of transition programs returning military servicemembers back to society as successful, productive, well-connected citizens. Moreover, it fails in the assessment that an investment in transition is somehow adverse to retention; no organization has refuted this more than the Marine Corps.

Of all the service branches, the Marine Corps has adapted the most advanced transition program, based on Marine Corps Order (MCO) 1700.31, and implemented through the Transition Readiness Program (TRP).¹⁴ The Transition Readiness Program goes beyond TAP to establish a total Marine Life Cycle concept, providing Marines with a roadmap for their military career while emphasizing

¹² DoD Military-Civilian Transition Office, LinkedIn, <https://www.linkedin.com/showcase/military-civilian-transition-office/about/>.

¹³ Amanda Miller, "Growth of SkillBridge Transition Program Paused after Overwhelming Popularity," Military.com, July 10, 2023, <https://www.military.com/daily-news/2023/07/07/growth-of-skillbridge-transition-program-paused-after-overwhelming-popularity.html>.

¹⁴ Marine Corps Order 1700.31, December 30, 2015, <https://www.marines.mil/portals/1/MCO%201700.31.pdf>.

the value of building core civilian competencies from initial entry.¹⁵ Notably, MCO 1700.31 also created the Unit Transition Coordinator (UTC) billet to assist Marines with their Life Cycle programs and with all unit transition activities. This investment has proven to increase recruiting and retention. By June 2023, the Marine Corps achieved 110% of its retention goal and up to 30% of 2024's recruiting goals, far ahead of its sister branches.^{16 17}

The American Legion recommends that other service branches adopt the lessons of the Marine Corps TRP, and that DOD adopt the spirit of this model by taking ownership of the constellation of transition programs, and providing stronger oversight and accountability measures. Further, The American Legion urges Congress to continue its oversight of the Military Life Cycle Transition Process. The amount of information servicemembers must absorb and retain during the condensed multi-day TAP program is daunting. Coupled with the concurrent demands of mission readiness, life stressors, and other transition-related difficulties, the current TAP program has limited chances of meeting the important goal of successfully returning our servicemembers back to civilian life. Servicemembers must be presented with digestible key information throughout their military service to ensure they build knowledge and familiarity with resources to support their transition to civilian life well before they attend TAP in their final year of service.

In 2011, Congress mandated the Military Life Cycle Transition under the *Veterans Opportunity to Work (VOW) Act* as the model for servicemembers to begin transition preparation early in their service.¹⁸ It also required that servicemembers be made aware of the Career Readiness Standards (CRS) that must be met prior to separation while ensuring that servicemembers can grow and develop their transferable skills throughout their service. This allows for transition to be a natural part of a servicemember's lifecycle, providing them with informed decisions regarding their personal goals throughout their military career and beyond. While DOD has published a policy and created a resource website, there has been no timeline established for implementation and no reporting requirements to ensure compliance. The American Legion urges Congress to provide DOD clear guidance to implement the Military Life Cycle Transition, directing measurable outcomes on tasks, timelines, and reporting requirements.

Conclusion

The American Legion believes the DOD's highest priority is ensuring our country's security needs. This can only be done through successful recruiting and retention. But to sustain the force through times of war and peace, we must emphasize the importance of instilling confidence that military service will return successful citizens to society. Chairmen Tester and Reed, Ranking Members Moran and Wicker, and distinguished senators, The American Legion thanks you for your

¹⁵ Marine For Life Cycle, Marine Corps Community Services (MCCS), <https://pendleton.usmc-mccs.org/about/marine-for-life-cycle>.

¹⁶ South, Todd, "Marines on target for active, Reserve recruiting and retention goals," Marine Corps Times, June 29, 2023, <https://www.marinecorpstimes.com/news/modern-day-marine/2023/06/29/marines-on-target-for-active-reserve-recruiting-and-retention-goals>.

¹⁷ Baldor, Lolita C, "The Few, the Proud' aren't so few: Marines recruiting surges while other services struggle," ABC News, June 29, 2023, <https://abcnews.go.com/US/wireStory/proud-marines-recruiting-surges-services-struggle-101816734>.

¹⁸ Pub. L. No. 112-56, Title II, §221, 125 Stat. 715 (2011).

leadership and for allowing us the opportunity to explain the positions of our members and the importance of this subject. Questions concerning this statement can be directed to Mr. John Kamin, Senior Legislative Associate, at jkamin@legion.org.

APPENDIX: TRANSITION RESOURCES

PROGRAMS OVERSEEN BY MILITARY-CIVILIAN TRANSITION OFFICE (OSD-P&R)

Transition Assistance Program (TAP)

DOD's flagship transition program. Provides information, tools and training to help service members and their spouses get ready to successfully move from the military to civilian life.

SkillBridge

Opportunity for servicemembers to gain valuable civilian work experience through specific industry training, apprenticeships, or internships during the last 180 days of service. Overseen by ODASD(FE&T) until 2023, now overseen by MCTO.

Yellow Ribbon Reintegration Program

DoD-wide effort to promote the well-being of National Guard and Reserve members' well-being, families, and communities by connecting them with resources throughout the deployment cycle. Overseen by Defense Personnel and Family Support Center within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs until 2020.

PROGRAMS AND SERVICES OPERATED OUTSIDE OF MILITARY-CIVILIAN TRANSITION OFFICE OVERSIGHT

Army Employment Readiness Program (ERP)

Provides employment information to servicemembers and military spouses in job search skills, education, training, transition, and volunteer opportunities. Operated through Army Community Service (ACS) centers.

Army Recovery Care Program (ARCP)

Manages recovery and complex care for wounded, ill and injured Soldiers across all Army components, including transition plans.

Army Reserve Private Public Partnership Program (P3)

Connect Soldiers with internship, employment, and education opportunities in collaboration with military and veterans service organizations.

Career Path DECIDE

A decision support tool to help servicemembers and Veterans identify, prepare for, and become increasingly qualified for employment as they transition military service to the civilian workforce. Currently under Manpower and Reserve Affairs.

Career and Transition System (Kuder Career Interests Assessment)

An online resource for servicemembers to translate interests, skills, and work values into personalized career plans to explore occupational information. Currently under Defense Activity for Non-Traditional Education Support (DANTES).

Career One Stop Veteran and Military Transition Center

Veteran and Military Transition Center is a one-stop website for employment, training, and financial help after military service. Currently overseen by Department of Labor.

Credentialing Opportunities On-Line (COOL) Program

Designed to match military occupations to civilian credentials (occupational certifications, licenses, and apprenticeships) and provide resources to help Soldiers, Sailors, Airmen, Marines and Coast Guardsmen attain these credentials. Provided in keeping with requirements of P.L. 113-66, National Defense Authorization Act for Fiscal Year 2014, Sec 542.

Distance Learning Readiness Self-Assessment (DLRSA)

DLRSA was developed to help prospective distance learners self-assess their readiness for distance learning. Currently overseen by Defense Activity for Non-Traditional Education Support (DANTES).

DOD Career Ready

Career Ready Portal is designed to provide an organized set of information and links to these valuable resources with "more features and resources planned over time." Last under ODASD(FE&T).

Education and Employment Initiative (E2I)

Connects Navy wounded warriors and their caregivers to education resources and career counseling services, from assisting with job applications, to identifying vocational training opportunities, to sharing direct employer contacts. Organized under Navy Wounded Warrior Program.

Employment Navigator & Partnership Pilot (ENPP)

Provides one-on-one career assistance to interested transitioning servicemembers, and their spouses, at select military installations worldwide. Provided outside the formal DOL Transition Assistance Program (TAP) classroom instruction. Overseen by Department of Labor.

inTransition

Provides telephonic coaching sessions using motivational interviewing techniques that empower servicemembers to determine their own paths to continue in care and improve their well-being. Overseen by Military Health System and Defense Health Agency.

Joint Service Transcripts

Describes military schooling and work history in civilian language. It serves as a counseling tool for academic and career counselors in advising servicemembers and veterans. Currently under Defense Activity for Non-Traditional Education Support (DANTES).

Marine for Life Network (M4L)

Connects transitioning Marines and their family members to education resources, employment opportunities, and other veterans services that aid their career and life goals outside of military service.

MilGears

Tool to consolidate military and civilian experience, training, and education into a single Learning and Employment record (LER) to keep a record of all accomplishments in order to communicate to educational institutions and employers. Designed to meet requirements of ODASD(FE&T).

Military 2 Mariner

Designed to recruit veterans into fast-track pipelines in the U.S. Merchant Marines. Managed by the Department of Transportation's Maritime Administration (MARAD).

Off-Base Transition Training (OBTT)

Pilot program is an opportunity for veterans and servicemembers currently serving in the National Guard and Reserve and their spouses to take control of their careers through workshops to help meet their employment goals. Overseen by Department of Labor.

Operation Warfighter

Internship program that matches qualified wounded, ill, and injured servicemembers with non-funded federal internships in order for them to gain valuable work experience during their recovery and rehabilitation. Overseen by Defense Health Agency.

Soldier for Life

Official U.S. Army program created to engage and connect Army, government, and non-government organizations in order to influence policies, programs, and services that support Soldiers, veterans, and families; build sustainable relationships and outcomes; and reinforce the Soldier For Life (SFL) mindset throughout the entirety of the Soldier Life Cycle (SLC).

Troops to Teachers

Helps servicemembers and veterans become certified and employed as teachers in K-12 schools. Established in 1992 as a DOD program, shifted to the Department of Education in the late 1990s before returning to DOD in 2013. Despite over 100,000 alumni, the program is currently operating with minimum staff and resources. Currently under Defense Activity for Non-Traditional Education Support (DANTES).

Tuition Assistance Program

Program provides financial assistance for voluntary off-duty civilian education programs in support of a Soldier's professional and personal self-development goals. Currently under Manpower and Reserve Affairs.

United Services Military Apprenticeship Program (USMAP)

Formal military training program that provides active duty and Full Time Support (FTS) Army, Navy, Marine Corps, and Coast Guard servicemembers the opportunity to improve their job skills and to complete their civilian apprenticeship requirements while they are on active duty. Last under ODASD(FE&T).

U.S. Army Partnership for your Success (PAYS) Program

Provides soldiers with an opportunity to serve their country while they prepare for their future. PAYS Partners guarantee Soldiers an interview and possible employment after the Army. Overseen by Army Recruiting Command (USAREC).

U.S. Special Operations Command Care Coalition

Assists Special Operations Forces (SOF) Wounded, Ill, or Injured servicemembers and their families seamlessly transition to civilian life for continued medical care, benefits, and career opportunities. Overseen by Headquarters, United States Special Operations Command.

TAP SYLLABUS

TAP Curriculum: VA Benefits and Services

One-day interactive briefing designed to enable transitioning servicemembers to make informed decisions regarding the use of VA benefits.

TAP Curriculum: Department of Labor Employment Fundamentals of Career Transition (DOLEF)

Introduces the essential tools and resources needed to evaluate career options, gain information for civilian employment, and understand the fundamentals of the employment process.

DOD Education Track: Managing Your (MY) Education

Assists servicemembers in identifying the higher education requirements that support their personal career goals.

DOD Vocational Track: Career and Credential Exploration

Offers the opportunity for servicemembers to complete a personalized career development assessment of occupational interest and ability.

DOL Employment Track: DOL Employment Workshop (DOLEW)

Covers emerging best practices in career employment, including in-depth training to learn interview skills, build effective resumes, and use emerging technology to network and search for employment.

SBA Entrepreneurship Track: Boots to Business

Introduction to Entrepreneurship" course which provides participants with an introductory understanding of business ownership. After completing the "Introduction to Entrepreneurship" course, participants can elect to further their study through one of the multi-week online B2B follow-on courses or take advantage of the many resources and services offered by the SBA and its partner network, including Veterans Business Outreach Centers, SCORE, Small Business Development Centers, and Women's Business Centers.

ONLINE TAP MODULES

Employment Fundamentals of Career Transition (EFCT)

Lays the foundation for transition from military to civilian careers by introducing essential tools and resources needed to evaluate career options, gain information for civilian employment, and understand the fundamentals of the employment process.

Financial Planning for Transition

Provides transitioning servicemembers with an understanding of how transition may impact their finances, and provides the tools and resources for a successful financial transition.

Managing Your (MY) Transition

Assists servicemembers in identifying the higher education requirements that support their personal career goals.

Military Crosswalk Search

Assists with determining which military occupations qualifications are "substantially equivalent" to the state's requirements for licensure and identify gaps between civilian occupational licensure requirements and a veteran's current knowledge, skills, education, and training. Overseen by Department of Labor within the O*NET program.

VA Benefits and Services

Designed to enable transitioning servicemembers to make informed decisions regarding the use of VA benefits.

Wounded Warrior and Caregiver EFCT

Blended learning delivery of the online Employment Fundamentals of Career Transition (EFCT) followed by instructor-led virtual sessions designed to meet the needs of transitioning servicemembers who may be wounded, ill, and/or injured.