

NAVY SEAL CHIEF PETTY OFFICER WILLIAM “BILL”
MULDER (RET.) TRANSITION IMPROVEMENT ACT OF 2019

MAY 20, 2019.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. TAKANO, from the Committee on Veterans’ Affairs, submitted
the following

R E P O R T

[To accompany H.R. 2326]

The Committee on Veterans’ Affairs, to whom was referred the bill (H.R. 2326) to amend the Social Security Act, to amend the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012, and to direct 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, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Navy SEAL Chief Petty Officer William “Bill” Mulder (Ret.) Transition Improvement Act of 2019”.

SEC. 2. TAP DEFINED.

In this Act, the term “TAP” means the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

SEC. 3. ACCESS FOR THE SECRETARIES OF LABOR AND VETERANS AFFAIRS TO THE FEDERAL DIRECTORY OF NEW HIRES.

Section 453A(h) of the Social Security Act (42 U.S.C. 653a(h)) is amended by adding at the end the following new paragraph:

“(4) VETERAN EMPLOYMENT.—The Secretaries of Labor and of Veterans Affairs shall have access to information reported by employers pursuant to subsection (b) of this section for purposes of tracking employment of veterans.”.

SEC. 4. PILOT PROGRAM FOR OFF-BASE TRANSITION TRAINING FOR VETERANS AND SPOUSES.

(a) EXTENSION OF PILOT PROGRAM.—Subsection (a) of section 301 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 10 U.S.C. 1144 note) is amended—

(1) by striking “During the two-year period beginning on the date of the enactment of this Act” and inserting “During the five-year period beginning on the date of the enactment of the Navy SEAL Chief Petty Officer William ‘Bill’ Mulder (Ret.) Transition Improvement Act of 2019”; and

(2) by striking “to assess the feasibility and advisability of providing such program to eligible individuals at locations other than military installations”.

(b) LOCATIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking “not less than three and not more than five States” and inserting “not fewer than 50 locations in States (as defined in section 101 of title 38, United States Code)”; and

(2) in paragraph (2), by striking “at least two” and inserting “at least 20”.

(c) CONFORMING REPEAL.—Subsection (f) of such section is repealed.

SEC. 5. GRANTS FOR PROVISION OF TRANSITION ASSISTANCE TO MEMBERS OF THE ARMED FORCES AFTER SEPARATION, RETIREMENT, OR DISCHARGE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall make grants to eligible organizations for the provision of transition assistance to members of the Armed Forces who are separated, retired, or discharged from the Armed Forces, and spouses of such members.

(b) USE OF FUNDS.—The recipient of a grant under this section shall use the grant to provide to members of the Armed Forces and spouses described in subsection (a) resume assistance, interview training, job recruitment training, and related services leading directly to successful transition, as determined by the Secretary.

(c) ELIGIBLE ORGANIZATIONS.—To be eligible for a grant under this section, an organization shall submit to the Secretary an application containing such information and assurances as the Secretary, in consultation with the Secretary of Labor, may require.

(d) PRIORITY FOR HUBS OF SERVICES.—In making grants under this section, the Secretary shall give priority to an organization that provides multiple forms of services described in subsection (b).

(e) AMOUNT OF GRANT.—A grant under this section shall be in an amount that does not exceed 50 percent of the amount required by the organization to provide the services described in subsection (b).

(f) DEADLINE.—The Secretary shall carry out this section not later than six months after the effective date of this Act.

(g) TERMINATION.—The authority to provide a grant under this section shall terminate on the date that is five years after the date on which the Secretary implements the grant program under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 to carry out this section.

SEC. 6. ONE-YEAR INDEPENDENT ASSESSMENT OF THE EFFECTIVENESS OF TAP.

(a) INDEPENDENT ASSESSMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the cov-

ered officials, shall enter into an agreement with an appropriate entity with experience in adult education to carry out a one-year independent assessment of TAP, including—

- (1) the effectiveness of TAP for members of each military department during the entire military life cycle;
- (2) the appropriateness of the TAP career readiness standards;
- (3) a review of information that is provided to the Department of Veterans Affairs under TAP, including mental health data;
- (4) whether TAP effectively addresses the challenges veterans face entering the civilian workforce and in translating experience and skills from military service to the job market;
- (5) whether TAP effectively addresses the challenges faced by the families of veterans making the transition to civilian life;
- (6) appropriate metrics regarding TAP outcomes for members of the Armed Forces one year after separation, retirement, or discharge from the Armed Forces;
- (7) what the Secretary, in consultation with the covered officials and veterans service organizations determine to be successful outcomes for TAP;
- (8) whether members of the Armed Forces achieve successful outcomes for TAP, as determined under paragraph (7);
- (9) how the Secretary and the covered officials provide feedback to each other regarding such outcomes;
- (10) recommendations for the Secretaries of the military departments regarding how to improve outcomes for members of the Armed Forces after separation, retirement, and discharge; and
- (11) other topics the Secretary and the covered officials determine would aid members of the Armed Forces as they transition to civilian life.

(b) **REPORT.**—Not later than 90 days after the completion of the independent assessment under subsection (a), the Secretary and the covered officials, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives—

- (1) the findings and recommendations (including recommended legislation) of the independent assessment prepared by the entity described in subsection (a); and
- (2) responses of the Secretary and the covered officials to the findings and recommendations described in paragraph (1).

(c) **DEFINITIONS.**—In this section:

- (1) The term “covered officials” is comprised of—
 - (A) the Secretary of Defense;
 - (B) the Secretary of Labor;
 - (C) the Administrator of the Small Business Administration; and
 - (D) the Secretaries of the military departments.
- (2) The term “military department” has the meaning given that term in section 101 of title 10, United States Code.

SEC. 7. LONGITUDINAL STUDY ON CHANGES TO TAP.

(a) **STUDY.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretaries of Defense and Labor and the Administrator of the Small Business Administration, shall conduct a five-year longitudinal study regarding TAP on three separate cohorts of members of the Armed Forces who have separated from the Armed Forces, including—

- (1) a cohort that has attended TAP counseling as implemented on the date of the enactment of this Act;
- (2) a cohort that attends TAP counseling after the Secretaries of Defense and Labor implement changes recommended in the report under section 6(b) of this Act; and
- (3) a cohort that has not attended TAP counseling.

(b) **PROGRESS REPORTS.**—Not later than 90 days after the day that is one year after the date of the initiation of the study under subsection (a) and annually thereafter for the three subsequent years, the Secretaries of Veterans Affairs, Defense, and Labor, and the Administrator of the Small Business Administration, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives a progress report of activities under the study during the immediately preceding year.

(c) **FINAL REPORT.**—Not later than 180 days after the completion of the study under subsection (a), the Secretaries of Veterans Affairs, Defense, and Labor, and the Administrator of the Small Business Administration, shall submit to the Com-

mittees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives a report of final findings and recommendations based on the study.

(d) ELEMENTS.—The final report under subsection (c) shall include information regarding the following:

- (1) The percentage of each cohort that received unemployment benefits during the study.
- (2) The numbers of months members of each cohort were employed during the study.
- (3) Annual starting and ending salaries of members of each cohort who were employed during the study.
- (4) How many members of each cohort enrolled in an institution of higher learning, as that term is defined in section 3452(f) of title 38, United States Code.
- (5) The academic credit hours, degrees, and certificates obtained by members of each cohort during the study.
- (6) The annual income of members of each cohort.
- (7) The total household income of members of each cohort.
- (8) How many members of each cohort own their principal residences.
- (9) How many dependents that members of each cohort have.
- (10) The percentage of each cohort that achieves a successful outcome for TAP, as determined under section 6(a)(7) of this Act.
- (11) Other criteria the Secretaries and the Administrator of the Small Business Administration determine appropriate.

PURPOSE AND SUMMARY

H.R. 2326, the “Navy SEAL Chief Petty Officer William Bill Mulder (Ret.) Transition Improvement Act of 2019,” was introduced by Representative Mike Levin, Chairman of the Subcommittee on Economic Opportunity, on April 15, 2019. H.R. 2326 would create a pilot program for transition training in locations outside of military installations to make the transition process easier and more convenient for veterans and spouses. Providing transition training in alternative locations would give servicemembers and their spouses more time to access resources and digest the information provided to them, while living in their new community. The legislation would also create a grant program for organizations to provide multiple transition assistance services such as resume assistance, interview training, and job recruitment training from a central source. Currently, veterans must navigate several organizations to access these resources.

Lastly, it would require a one-year independent assessment of the effectiveness of the transition assistance program (TAP) and expand access to better employment data at the Departments of Labor and Veterans Affairs.

The pilot program would be authorized during the five-year period beginning on the date of enactment of the Navy SEAL Chief Petty Officer William ‘Bill’ Mulder (Ret.) Transition Improvement Act of 2019.

The one-year independent assessment of the effectiveness of TAP would be conducted not later than 90 days after the enactment of the Act. This study would be carried out for one year, and upon completion the Secretary would be required to submit the findings to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives.

BACKGROUND AND NEED FOR LEGISLATION

With passage into law of H.R. 4739 in the 101st Congress, the National Defense Authorization Act for Fiscal Year 1991, section 1144 established employment assistance, joint training assistance, and other transition services for spouses and members of the armed forces during the 180-day period before the servicemember is separated from active duty. The services to be carried out were to furnish counseling, assist in identifying employment and training opportunities, help in obtaining such employment and training, and provide other related information and services to members of the armed forces and their spouses under the jurisdiction of the service branches.

Additional improvements to the transition assistance process were made under Public Law 112-56, the Vow to Hire Heroes Act, in 2011. This legislation included mandatory participation of all service members and improved transition resources by lengthening the process and lowering class sizes.

With the passage of the VOW to Hire Heroes Act of 2011 (P.L. 112-56), all but a few servicemembers are required to participate in the TAP program. While the program has been around for many years, the current iteration is called Transition GPS (Goals, Plan, and Success) and is a five-day course. The first day of training is taught by Department of Defense (DOD) staff and contractors. It focuses on financial counseling and training, beginning an individual transition plan, and service specific programing. The second, third, and fourth days of training are taught by a Department of Labor (DOL) contractor and consist of the employment workshop that focuses on employment trends, job search training, resume writing, mock interviews, use of LinkedIn, and other career services. The final day is taught by VA contractors and focuses on explaining the myriad of benefits the Department of Veterans Affairs (VA) can provide servicemembers and their families when they become veterans.

There are also three additional two-day training tracks available to servicemembers that focus on accessing higher education, vocational training, and small business training. While these additional two-day tracks are optional, section 1144(f)(2) of title 10, United States Code (U.S.C.) requires that commanders allow servicemembers to attend these tracks if they wish to participate.

Once servicemembers have completed TAP, they must complete their individual transition plans and meet what DOD calls “career readiness standards.” These standards are based on servicemembers’ plans for when they leave the military. If the readiness standards are not met, DOD is required to provide a “warm handover” to other agencies to help servicemembers receive additional services to meet the career readiness standards.

Following a report from the U.S. Government Accountability Office in 2017 (GAO-18-23), it was found the VOW to Hire Heroes Act compliance rates that DOD publicly reported were not based on all eligible servicemembers—they excluded servicemembers for whom DOD lacked data. For example, had DOD included all transitioning National Guard and Reserve members—including those for whom they lacked participation data—the resulting participation rate for Guard and Reserve members may have been as

low as 47 percent compared to 94 percent, which DOD publicly reported in fiscal year 2016. In November 2016, DOD launched a new data collection system that officials say will improve data completeness and reporting abilities.

In fiscal year 2016, DOD met its goal of 85 percent of active duty servicemembers (excluding members of the National Guard and Reserves) attaining VOW Act requirements and career readiness standards, according to the Government Accountability Office (GAO). However, fewer than half of all eligible servicemembers completed TAP on time—90 days or more before separation. In response to those findings, Congress included Section 552 in the Fiscal Year 2019 National Defense Authorization Act to improve TAP and address the military transition process.

H.R. 2326 would direct DOL, VA, and the Small Business Administration (SBA) to evaluate the existing effectiveness of TAP, and create a pilot program for providing TAP outside of military bases. “Off-base TAP” is designed to ease the process of participation for service-members, veterans, and spouses who may have difficulty attending classes on bases.

The Committee remains concerned with the significant amount of information service-members are provided and expected to understand in the short time period that TAP is offered. The Committee urges VA to consider locations with a disproportionately high number of service-members, veterans, and homelessness when choosing locations for the off-base pilot sites.

Section 3. Access for the Secretaries of Labor and Veterans Affairs to the Federal Directory of New Hires

DOL’s Veterans Employment and Training Service (VETS) is responsible for providing grants to states to fund workforce development staff that specifically assist veterans with job placement and training. Despite the use of state wage records by state workforce agencies, there has never been an accurate way to track if the services provided state staffs result in positive employment outcomes for veterans. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104–193) created the National Directory of New Hires that was designed to use state employment and unemployment data and Federal agencies’ data to help state agencies track down non-custodial parents who owe child support. Employers across the country are required to notify the new hires directory when they hire a new employee. This requirement makes this directory the most up-to-date system for tracking employment in the country.

This section would give VETS and VA access to this data system which would allow these departments the ability to track, in real time, when a participant in VETS and a VA program receives a new job. This will help improve programs and provide better accountability of services being provided by both VETS and other readjustment benefits provided by VA. Additionally, this would complement other sections of this bill that are working towards providing a realistic view of employment outcomes that may or may not result from TAP training.

Section 4. Pilot Program for Off-Base Transition Training for Veterans and Spouses

Section 1144 of title 10, (U.S.C.) requires all servicemembers participate in the TAP program (few exceptions exist). This requirement was enacted as part of the VOW to Hire Heroes Act of 2011 (P.L. 112-56). However, prior to this requirement, only the United States Marine Corps mandated such training, and consequently there are entire generations of veterans who may have been unable use the TAP training to help them successfully transition. The Committee believes that veterans, even those that received TAP training as part of their transition, could benefit from the updated GPS curriculum especially as it relates to new employment search training and new veterans benefits. Yet it can be difficult for veterans to return to military installations to receive TAP training. In 2013, Congress recognized that it could be beneficial for veterans to access TAP training at off-base locations and authorized VETS to conduct a two-year pilot program to provide TAP training in off-base locations in three to four states. The pilot program consisted of the three-day DOL employment workshop and information regarding VA benefits.

In its review of the pilot program, GAO concluded that state workforce staff believed the pilot program was beneficial but VETS' poor design of the pilot and low participation rates made it difficult to conclude whether the program was of value. GAO stated that VETS' design of the pilot, "leaves unanswered key questions about the need for the program, the pilot's role amid other federal programs, and the goals and objectives for measuring its progress."¹ Despite VETS poor implementation of this pilot program, the Committee believes off-base TAP training is worth re-examining. Therefore, this section would authorize VETS to conduct a new five-year pilot program to teach TAP classes at off-base locations. The Committee hopes that VETS will incorporate the recommendations from the GAO's review of the last pilot program and prioritize funding to conduct this program. The Committee also believes that former military spouses could also benefit from training provided at off-based locations.

Sec. 5. Grants for Provision of Treatment Assistance to Members of the Armed Forces After Separation, Retirement, or Discharge

In order to review the progress of TAP and improve a servicemember's transition to civilian life, the Subcommittee on Economic Opportunity held three bipartisan roundtables in 2018 with representatives from all parties interested in improving TAP, including: VA, DoL, DoD, each of the military services, veteran service organizations, and community non-profits that provide transition services to veterans. The Subcommittee on Economic Opportunity's roundtables in the 115th Congress found that one key TAP and transition improvement was to make the wealth of resources available to transitioning servicemembers at the local level from non-governmental sources more available to transitioning servicemembers and veterans. The Subcommittee heard from community providers from Cincinnati, OH, Tampa, FL, Jacksonville, FL, and Colorado Springs, CO about innovative programs that pro-

¹ <https://www.gao.gov/assets/680/671459.pdf>

vide transition services to servicemembers, and in some cases act as a clearing house or one-stop-shop to connect servicemembers to existing resources within a community. The Committee believes these community programs can be important as they are able to provide transition training and services to a servicemember on a more individualized level than the government training provided by TAP. To support these programs, this section would authorize VA to set up a five-year, \$10 million pilot program that would provide grants to eligible community providers to provide transition training and services. To ensure these programs are truly innovative programs from the community, the section would further require that funds would only cover 50% of the cost of transition training and services provided by this grant. Finally, the section would require that VA give priority of grant funds authorized by this section to organizations that act as a hub or provide multiple types of services to transitioning servicemembers. The Committee believes this pilot program will help provide funding to these innovative programs that help veterans and is worth the investment to examine if funding such programs will result in long term outcomes for servicemembers.

Section 6. One-Year Independent Assessment of the Effectiveness of TAP

While the curriculum of the TAP has changed over the years, each new iteration has been created and reviewed by government employees and to the Committee's knowledge there has never been a true independent review of the curriculum to see if the training is really meeting the needs of servicemembers to provide a seamless transition to civilian life. To address this issue, this section would require VA, in consultation with DOD, DOL, SBA, and the military service branches to contract with an appropriate entity with experience in adult education to conduct a one-year independent assessment of TAP. This assessment would examine: the effectiveness of the military life cycle, appropriateness of the career readiness standards, review of information provided by VA in TAP, including mental health data, and a review and determination TAP measures of successful outcomes and if servicemembers are meeting this standard. Not later than 90 days following this study, the departments would be required to submit a report to the House and Senate Committees on Veterans' Affairs and Armed Services on the findings and recommendations of this assessment. The Committee believes this independent assessment is critical to judging the performance of TAP and believes the requirement to define realistic outcomes will help inform future policy changes to this program.

Section 7. Longitudinal Study on Changes to TAP

Although TAP has been in existence for decades, serious questions remain regarding TAP's direct impact on a servicemember's transition. For too long, VA, DOL, and DOD have relied on anecdotal evidence and exit surveys of servicemembers concluding they were more prepared for transition after attending TAP to track the program's performance. While such surveys and evidence are helpful data points, there has never been a study that tracked the long-term outcomes of TAP training. To address this issue, this section

would authorize VA to conduct an extensive five-year longitudinal study on outcomes of TAP participants. The study will examine the outcomes of those who received TAP training before the enactment of the changes in this bill, compared to those who completed the new version of TAP following this bill's enactment. These outcomes will be compared with outcomes of those who did not receive TAP training. The Committee believes this longitudinal study will enable policy makers to measure the long-term outcomes of TAP and provide data to make future changes if the study suggests they are warranted.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearings and meetings were used to develop or consider H.R. 2326.

On April 9, 2019, the Subcommittee on Economic Opportunity conducted a legislative hearing on various bills introduced during the 116th Congress, including H.R. 2326.

The following witnesses testified:

Ms. Margarita Devlin, Principal Deputy Under Secretary for Benefits, Veterans Benefits Administration, U.S. Department of Veterans Affairs. Ms. Ashlynn Haycock, Deputy Policy Director, Education Support Services, Tragedy Assistance Program for Survivors (TAPS). Mr. Patrick Murray, Deputy Director, National Legislative Service, The Veterans of Foreign Wars. Mr. John Kamin, Credentialing and Education Policy Associate, National Veterans Employment and Education Division, The American Legion. Ms. Rebecca Burgess, Program Manager Citizenship Project, American Enterprise Institute.

Statements for the record were submitted by:

Disabled American Veterans

SUBCOMMITTEE CONSIDERATION

On May 1, 2019, the Subcommittee on Economic Opportunity met in an open markup session, a quorum being present, and ordered H.R. 2326, as amended reported favorably to the Committee on Veterans' Affairs by voice vote.

During the May 1, 2019 consideration, the Subcommittee considered H.R. 2326 as an amendment in the nature of a substitute to correct drafting errors. No other amendments were offered.

COMMITTEE CONSIDERATION

On May 8, 2019, the Committee on Veterans' Affairs met in an open markup session, a quorum being present, and ordered H.R. 2326, as amended reported favorably to the House of Representatives by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report the legislation and amendments thereto. There were no recorded votes taken on amendments or in connection with ordering H.R. 2326, as amended reported to the House. A motion by

Ranking Member Phil Roe of Tennessee to report H.R. 2326, as amended favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are to improve and evaluate the transition of servicemembers from military to civilian life through a expansion of transition sites and tracking long-term outcomes.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 2326 does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 2326 prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 2326 prepared by the Director of the Congress-

sional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R.2326.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Article I, section 8 of the United States Constitution, H.R. 2326 is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 2326 does not relate to the terms and conditions of employment or access to public services or accommodations within the legislative branch.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 2326 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULEMAKING

Pursuant to clause 3(c)(5) of rule XIII, the Committee estimates that H.R. 2326 contains no directed rule making that would require the Secretary to prescribe regulations.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1: Short Title: Section one would establish the short title "Navy SEAL Chief Petty Officer William "Bill" Mulder (Ret.) Transition Improvement Act of 2019".

Sec 2: Defines TAP for the purposes of this legislation

Sec 3: Provides the Secretaries of Labor and Veterans Affairs access to employment statistics gathered by the Social Security Administration.

Sec 4: Creates a pilot program that allows for the establishment of sites where veterans and spouses may access transition training at locations other than military installations.

Sec 5: Authorizes the VA to make grants available to eligible organizations for transition assistance programs such as resume assistance, interview training, job recruitment training, and related services.

Sec 6: Requires VA to enter into an agreement with an entity with experience in adult education to carry out a one-year independent assessment of TAP, and provide the findings to Congress.

Sec 7: Requires VA, in consultation with DOD, DOL, and SBA, to conduct a five year longitudinal study of TAP comparing the ef-

fectiveness of using the program. This report will also be provided to Congress.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

SOCIAL SECURITY ACT

* * * * *

TITLE IV—GRANTS TO STATES FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN AND FOR CHILD-WELFARE SERVICES

* * * * *

PART D—CHILD SUPPORT AND ESTABLISHMENT OF PATERNITY

* * * * *

SEC. 453A. STATE DIRECTORY OF NEW HIRES.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—

(A) REQUIREMENT FOR STATES THAT HAVE NO DIRECTORY.—Except as provided in subparagraph (B), not later than October 1, 1997, each State shall establish an automated directory (to be known as the “State Directory of New Hires”) which shall contain information supplied in accordance with subsection (b) by employers on each newly hired employee.

(B) STATES WITH NEW HIRE REPORTING LAW IN EXISTENCE.—A State which has a new hire reporting law in existence on the date of the enactment of this section may continue to operate under the State law, but the State must meet the requirements of subsection (g)(2) not later than October 1, 1997, and the requirements of this section (other than subsection (g)(2)) not later than October 1, 1998.

(2) DEFINITIONS.—As used in this section:

(A) EMPLOYEE.—The term “employee”—

(i) means an individual who is an employee within the meaning of chapter 24 of the Internal Revenue Code of 1986; and

(ii) does not include an employee of a Federal or State agency performing intelligence or counterintelligence functions, if the head of such agency has determined that reporting pursuant to paragraph (1) with respect to the employee could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

(B) EMPLOYER.—

(i) IN GENERAL.—The term “employer” has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 and includes any governmental entity and any labor organization.

(ii) LABOR ORGANIZATION.—The term “labor organization” shall have the meaning given such term in section 2(5) of the National Labor Relations Act, and includes any entity (also known as a “hiring hall”) which is used by the organization and an employer to carry out requirements described in section 8(f)(3) of such Act of an agreement between the organization and the employer.

(C) NEWLY HIRED EMPLOYEE.—The term “newly hired employee” means an employee who—

(i) has not previously been employed by the employer; or

(ii) was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days.

(b) EMPLOYER INFORMATION.—

(1) REPORTING REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), each employer shall furnish to the Directory of New Hires of the State in which a newly hired employee works, a report that contains the name, address, and social security number of the employee, the date services for remuneration were first performed by the employee, and the name and address of, and identifying number assigned under section 6109 of the Internal Revenue Code of 1986 to, the employer.

(B) MULTISTATE EMPLOYERS.—An employer that has employees who are employed in 2 or more States and that transmits reports magnetically or electronically may comply with subparagraph (A) by designating 1 State in which such employer has employees to which the employer will transmit the report described in subparagraph (A), and transmitting such report to such State. Any employer that transmits reports pursuant to this subparagraph shall notify the Secretary in writing as to which State such employer designates for the purpose of sending reports.

(C) FEDERAL GOVERNMENT EMPLOYERS.—Any department, agency, or instrumentality of the United States shall comply with subparagraph (A) by transmitting the report described in subparagraph (A) to the National Directory of New Hires established pursuant to section 453.

(2) TIMING OF REPORT.—Each State may provide the time within which the report required by paragraph (1) shall be

made with respect to an employee, but such report shall be made—

(A) not later than 20 days after the date the employer hires the employee; or

(B) in the case of an employer transmitting reports magnetically or electronically, by 2 monthly transmissions (if necessary) not less than 12 days nor more than 16 days apart.

(c) REPORTING FORMAT AND METHOD.—Each report required by subsection (b) shall, to the extent practicable, be made on a W-4 form or, at the option of the employer, an equivalent form, and may be transmitted by 1st class mail, magnetically, or electronically.

(d) CIVIL MONEY PENALTIES ON NONCOMPLYING EMPLOYERS.—The State shall have the option to set a State civil money penalty which shall not exceed—

(1) \$25 per failure to meet the requirements of this section with respect to a newly hired employee; or

(2) \$500 if, under State law, the failure is the result of a conspiracy between the employer and the employee to not supply the required report or to supply a false or incomplete report.

(e) ENTRY OF EMPLOYER INFORMATION.—Information shall be entered into the data base maintained by the State Directory of New Hires within 5 business days of receipt from an employer pursuant to subsection (b).

(f) INFORMATION COMPARISONS.—

(1) IN GENERAL.—Not later than May 1, 1998, an agency designated by the State shall, directly or by contract, conduct automated comparisons of the social security numbers reported by employers pursuant to subsection (b) and the social security numbers appearing in the records of the State case registry for cases being enforced under the State plan.

(2) NOTICE OF MATCH.—When an information comparison conducted under paragraph (1) reveals a match with respect to the social security number of an individual required to provide support under a support order, the State Directory of New Hires shall provide the agency administering the State plan approved under this part of the appropriate State with the name, address, and social security number of the employee to whom the social security number is assigned, and the name and address of, and identifying number assigned under section 6109 of the Internal Revenue Code of 1986 to, the employer.

(g) TRANSMISSION OF INFORMATION.—

(1) TRANSMISSION OF WAGE WITHHOLDING NOTICES TO EMPLOYERS.—Within 2 business days after the date information regarding a newly hired employee is entered into the State Directory of New Hires, the State agency enforcing the employee's child support obligation shall transmit a notice to the employer of the employee directing the employer to withhold from the income of the employee an amount equal to the monthly (or other periodic) child support obligation (including any past due support obligation) of the employee, unless the employee's income is not subject to withholding pursuant to section 466(b)(3).

(2) TRANSMISSIONS TO THE NATIONAL DIRECTORY OF NEW HIRES.—

(A) NEW HIRE INFORMATION.—Within 3 business days after the date information regarding a newly hired employee is entered into the State Directory of New Hires, the State Directory of New Hires shall furnish the information to the National Directory of New Hires.

(B) WAGE AND UNEMPLOYMENT COMPENSATION INFORMATION.—The State Directory of New Hires shall, on a quarterly basis, furnish to the National Directory of New Hires information concerning the wages and unemployment compensation paid to individuals, by such dates, in such format, and containing such information as the Secretary of Health and Human Services shall specify in regulations.

(3) BUSINESS DAY DEFINED.—As used in this subsection, the term “business day” means a day on which State offices are open for regular business.

(h) OTHER USES OF NEW HIRE INFORMATION.—

(1) LOCATION OF CHILD SUPPORT OBLIGORS.—The agency administering the State plan approved under this part shall use information received pursuant to subsection (f)(2) to locate individuals for purposes of establishing paternity and establishing, modifying, and enforcing child support obligations, and may disclose such information to any agent of the agency that is under contract with the agency to carry out such purposes.

(2) VERIFICATION OF ELIGIBILITY FOR CERTAIN PROGRAMS.—A State agency responsible for administering a program specified in section 1137(b) shall have access to information reported by employers pursuant to subsection (b) of this section for purposes of verifying eligibility for the program.

(3) ADMINISTRATION OF EMPLOYMENT SECURITY AND WORKERS’ COMPENSATION.—State agencies operating employment security and workers’ compensation programs shall have access to information reported by employers pursuant to subsection (b) for the purposes of administering such programs.

(4) VETERAN EMPLOYMENT.—*The Secretaries of Labor and of Veterans Affairs shall have access to information reported by employers pursuant to subsection (b) of this section for purposes of tracking employment of veterans.*

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**DIGNIFIED BURIAL AND OTHER VETERANS’ BENEFITS
IMPROVEMENT ACT OF 2012**

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TITLE III—OTHER MATTERS

SEC. 301. OFF-BASE TRANSITION TRAINING FOR VETERANS AND THEIR SPOUSES.

(a) PROVISION OF OFF-BASE TRANSITION TRAINING.—**[During the two-year period beginning on the date of the enactment of this Act] During the five-year period beginning on the date of the enactment of the Navy SEAL Chief Petty Officer William “Bill” Mulder (Ret.) Transition Improvement Act of 2019, the Secretary of Labor shall**

provide the Transition Assistance Program under section 1144 of title 10, United States Code, to eligible individuals at locations other than military installations [to assess the feasibility and advisability of providing such program to eligible individuals at locations other than military installations].

(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is a veteran or the spouse of a veteran.

(c) LOCATIONS.—

(1) NUMBER OF STATES.—The Secretary shall carry out the training under subsection (a) in [not less than three and not more than five States] *not fewer than 50 locations in States (as defined in section 101 of title 38, United States Code)* selected by the Secretary for purposes of this section.

(2) SELECTION OF STATES WITH HIGH UNEMPLOYMENT.—Of the States selected by the Secretary under paragraph (1), [at least two] *at least 20* shall be States with high rates of unemployment among veterans.

(3) NUMBER OF LOCATIONS IN EACH STATE.—The Secretary shall provide training under subsection (a) to eligible individuals at a sufficient number of locations within each State selected under this subsection to meet the needs of eligible individuals in such State.

(4) SELECTION OF LOCATIONS.—The Secretary shall select locations for the provision of training under subsection (a) to facilitate access by participants and may not select any location on a military installation other than a National Guard or reserve facility that is not located on an active duty military installation.

(d) INCLUSION OF INFORMATION ABOUT VETERANS BENEFITS.—The Secretary shall ensure that the training provided under subsection (a) generally follows the content of the Transition Assistance Program under section 1144 of title 10, United States Code.

(e) ANNUAL REPORT.—Not later than March 1 of any year during which the Secretary provides training under subsection (a), the Secretary shall submit to Congress a report on the provision of such training.

[(f) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the termination of the one-year period described in subsection (a), the Comptroller General of the United States shall submit to Congress a report on the training provided under such subsection. The report shall include the evaluation of the Comptroller General regarding the feasibility and advisability of carrying out off-base transition training at locations nationwide.]

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