

114TH CONGRESS  
1ST SESSION

# H. R. 356

To direct the Secretary of Veterans Affairs to develop and publish an action plan for improving the vocational rehabilitation services and assistance provided by the Department of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2015

Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. TAKANO, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to develop and publish an action plan for improving the vocational rehabilitation services and assistance provided by the Department of Veterans Affairs.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wounded Warrior Em-  
5 ployment Improvement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) Despite an improving economy, a recent  
2 study indicates that among veterans with service-  
3 connected disabilities who served in the Armed  
4 Forces after September 11, 2001 (hereinafter re-  
5 ferred to as “wounded warriors”) the unemployment  
6 rate is nearly 17.8 percent.

7           (2) Wounded warriors should receive the tools,  
8 skills, education, resources, and support needed to  
9 find work and thrive economically.

10          (3) Designed to provide the expert counseling  
11 and other services and supports vital to achieving  
12 economic empowerment, the vocational rehabilitation  
13 and employment program of the Department of Vet-  
14 erans Affairs should be the premier program assist-  
15 ing wounded warriors to realize their economic goals.

16          (4) Only 20 percent of wounded warriors pur-  
17 suing an education in 2013 chose to pursue voca-  
18 tional rehabilitation, while 54 percent chose to use  
19 their entitlement to educational assistance under the  
20 Post-9/11 Educational Assistance Program of the  
21 Department of Veterans Affairs, thereby foregoing  
22 counseling and other supports.

23          (5) Wounded warriors who elect to pursue an  
24 education through the Post-9/11 Educational Assist-  
25 ance Program rather than vocational rehabilitation

1 and education report choosing the such program be-  
2 cause of its relatively easier, more expeditious appli-  
3 cation process, and the far greater freedom it af-  
4 fords the veteran to pursue his or her career or edu-  
5 cational goals.

6 (6) The Department of Veterans Affairs con-  
7 tinues to face challenges with the program's work-  
8 load management, particularly with staff and re-  
9 source allocation models, decentralized program ad-  
10 ministration, and staff training, resulting in some  
11 regional offices struggling with average caseloads as  
12 high as 175 per counselor, all of which are affecting  
13 the delivery and quality of services to veterans, ac-  
14 cording to the Government Accountability Office.

15 **SEC. 3. VOCATIONAL REHABILITATION AND EDUCATION**

16 **ACTION PLAN.**

17 Not later than 270 days after the date of the enact-  
18 ment of this Act, the Secretary of Veterans Affairs shall  
19 develop and publish an action plan for improving the serv-  
20 ices and assistance provided under chapter 31 of title 38,  
21 United States Code. Such plan shall include each of the  
22 following:

23 (1) A comprehensive analysis of, and rec-  
24 ommendations and a proposed implementation plan  
25 for remedying workload management challenges at

1 regional offices of the Department of Veterans Af-  
2 fairs, including steps to reduce counselor caseloads  
3 of veterans participating in a rehabilitation program  
4 under such chapter, particularly for counselors who  
5 are assisting veterans with traumatic brain injury  
6 and post-traumatic stress disorder and counselors  
7 with educational and vocational counseling work-  
8 loads.

9 (2) A comprehensive analysis of the reasons for  
10 the disproportionately low percentage of veterans  
11 with service-connected disabilities who served in the  
12 Armed Forces after September 11, 2001, who opt to  
13 participate in a rehabilitation program under such  
14 chapter relative to the percentage of such veterans  
15 who use their entitlement to educational assistance  
16 under chapter 33 of title 38, United States Code, in-  
17 cluding an analysis of barriers to timely enrollment  
18 in rehabilitation programs under chapter 31 of such  
19 title and of any barriers to a veteran enrolling in the  
20 program of that veteran's choice.

21 (3) Recommendations and a proposed imple-  
22 mentation plan for encouraging more veterans with  
23 service-connected disabilities who served in the  
24 Armed Forces after September 11, 2001, to partici-

1       pate in rehabilitation programs under chapter 31 of  
2       such title.

3               (4) A national staff training program for voca-  
4       tional rehabilitation counselors of the Department  
5       that includes the provision of—

6                       (A) training to assist counselors in under-  
7       standing the very profound disorientation expe-  
8       rienced by warriors whose lives and life-plans  
9       have been upended and out of their control be-  
10      cause of their injury;

11                      (B) training to assist counselors in work-  
12      ing in partnership with veterans on individual  
13      rehabilitation plans; and

14                      (C) training on post-traumatic stress dis-  
15      order and other mental health conditions and  
16      on moderate to severe traumatic brain injury  
17      that is designed to improve the ability of such  
18      counselors to assist veterans with these condi-  
19      tions, including by providing information on the  
20      broad spectrum of such conditions and the ef-  
21      fect of such conditions on an individual's abili-  
22      ties and functional limitations.

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