

**NINETY-EIGHTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Cincinnati, Ohio
August 30, 31, September 1, 2016**

Resolution No. 79: Support the Restoration of the Duties and Responsibilities of the Disabled Veterans' Outreach Program Specialist and Local Veterans' Employment Representative

Origin: Texas

Submitted by: Convention Committee on Veterans Employment & Education

WHEREAS, Throughout the nearly two hundred and thirty-eight year history of the United States, the men and women of this nation have served in the armed forces in the interest of the collective body of states, united under a central federal government, "to provide for the common defense"; and

WHEREAS, These men and women served the United States under the constitutional authority vested in, and by direction of the President of the United States; and

WHEREAS, In section 4301, Title 38, United States Code (USC), Congress expressed its purpose in enacting the Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA), "to encourage non-career service in the uniformed services by eliminating or minimizing the disadvantage to civilian careers and employment which can result from such service"; and

WHEREAS, It has been the finding of numerous surveys and studies that, for a variety of reasons, the vast majority of veterans of the Armed Forces are disadvantaged in pursuing civilian employment and careers; and

WHEREAS, A recent Department of Labor Office of the Inspector General report has recommended that Veterans' Employment and Training Service (VETS) increase its oversight of this program, which confirms that services for veterans be provided by direction of, and subject to oversight by Congress to ensure that all veterans/disabled veterans are afforded such services in a uniform manner following completion of their service and return to the several states; and

WHEREAS, Public Law 107-288 has eliminated the requirement that DOL-VETS review all workforce centers annually and this has minimized federal oversight of the programs since the ASVET has drastically cut funds allocated for this activity and established a policy that only 10 percent of the centers operated under Title 38 will be reviewed; and

WHEREAS, Public Law 107-288 has removed the job descriptions of the Disabled Veterans' Outreach Program (DVOPs) Specialists and Local Veterans' Employment Representatives (LVERs) from Title 38, USC, and given the states the ability to establish the duties and responsibilities; thus, weakening the VETS programs across the country by eliminating the language that required these staff positions provide services only to veterans; and

WHEREAS, The passage of Public Law 107-288 also removed the federally mandated manning formulas for assigning DVOPs and LVERs -- this has allowed each state to determine the number of veterans' employment personnel in each state, and the assignment of more than one half-time DVOP and/or LVER to one office, while eliminating positions in offices that need veterans' staff by virtue of veteran intake; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Cincinnati, Ohio, August 30, 31, September 1, 2016, That The American Legion support legislation that will restore language to Chapter 41, Title 38 that will require that veteran staff serve only veterans, require that half-time Disabled Veterans' Outreach Program Specialists and Local Veterans' Employment Representatives positions be assigned only after approval of the Director for Veterans' Employment and Training Service, and that the Secretary of Labor be required to monitor all career centers that have veteran staff assigned; and, be it further

RESOLVED, That The American Legion also support legislation that restores the duties and responsibilities of the Disabled Veterans' Outreach Program Specialist and Local Veterans' Employment Representative; and, be it finally

RESOLVED, That The American Legion supports Department of Labor's Assistant Secretary for Veterans' Employment and Training Service being required to review all Department of Labor employment and training programs in order to ensure that all programs provide priority services to veterans.