

Transition Improvement by Estimating Risk (TIER) Act

Reps. Mike Levin (D-CA) and Jodey Arrington (R-TX)

BACKGROUND:

The John S. McCain NDAA for Fiscal Year 2019 required each military service secretary, in consultation with the Secretaries of Labor and Veterans Affairs, to establish at least three pathways for their members receiving individualized TAP counseling. The secretaries shall design the pathways to address the needs of members, based on the following factors:

- **Rank**
- **Term of service**
- **Gender**
- **Disability**
- **Character of discharge**
- **Employment history**
- **Health (including mental health)**
- **Educational history**
- **Military occupational specialty**
- **Regular or reserve component**
- **Post separation, retirement, or discharge plans (Employment, Higher Education, Vocational training, Entrepreneurship)**
- **Other factors deemed appropriate by the Secretaries**

These changes took effect on October 1, 2019. The military services created three pathways, which it calls tiers. The tiers help screen servicemembers for potential risk during the transition process. Tier one is for servicemembers who are well prepared for their transition and require little support. Tier three is for servicemembers who are poorly prepared for their transition and require significant support. Tier two is for servicemembers in the middle.

BILL SUMMARY:

As the military services do not know for sure if a servicemember is getting a medical discharge or involuntary separation until right before it happens, the military services claim the current language and congressional intent is unclear. This bill includes these technical fixes:

- Changes “disability” to “potential or confirmed medical discharge of the member.”
- Changes the character of discharge factor to “potential or confirmed involuntary separation of the member.”

The bill also adds the following factors (this would not require pathways to be re-designed, but rather add screening criteria to determine which pathway/risk level a servicemember fits into):

- Childcare requirements of the member, including whether a dependent of the member is enrolled in the Exceptional Family Member Program, which supports families with special needs. Having a child or special needs family member often elevates the risk profile for a transitioning servicemember because of increased cost to the family and support needed from the community.



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- The employment status of other adults in the household of the member. Many transitioning servicemembers run into cash flow issues and have difficulty securing a home loan if their spouse is not actively employed. Spouse employment status also affects the ability to meet childcare needs.
- The location of the duty station of the member, including whether the member was separated from family while on duty. Servicemembers often have greater difficulty securing post-separation employment and housing and planning with their families if they are moving a further distance, especially if they are coming from an unaccompanied tour or deployment and/or an overseas duty station.
- The effects of operating tempo (OPTEMPO) and personnel tempo (PERSTEMPO) on the member and their household. High tempo can impact a servicemember's ability to focus on their transition, especially for military couples whose tempos may vary.
- Whether the member is an Indian or urban Indian, as those terms are defined in section 4 of the Indian Health Care Improvement Act (Public Law 94-437; 25 U.S.C. 1603). This population has unique circumstances and benefits that are not covered in the current TAP curriculum, requiring individual education.

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