

PROTECTING VETERANS' EDUCATIONAL CHOICE ACT OF
2016

NOVEMBER 14, 2016.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. MILLER of Florida, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

[To accompany H.R. 5047]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 5047) to direct the Secretary of Veterans Affairs and the Secretary of Labor to provide information to veterans and members of the Armed Forces about articulation agreements between institutions of higher learning, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 5047, the “Protecting Veterans’ Educational Choice Act of 2016,” was introduced by Representative Jody Hice of Georgia on April 25, 2016. H.R. 5047 would require that, when the Department of Veterans Affairs (VA) provides educational counseling or a certificate of eligibility to veterans and servicemembers eligible for VA education benefits, it also provide information on articulation agreements at institutions of higher learning.

BACKGROUND AND NEED FOR LEGISLATION

Section 1. Short title

Section 1 cites the short title of H.R. 5047, to be the “Protecting Veterans’ Educational Choice Act of 2016.”

Section 2. Department of Veterans Affairs provision of information on articulation agreements between institutions of higher learning

Since the inception of the Post-9/11 G.I. Bill in 2009, over 1.5 million beneficiaries have received benefits through this program, which subsidizes student veterans’ and their eligible dependents’ attendance at a variety of institutions of higher learning, whether it be public, private, for-profit schools, etc. The Committee has found that many student veterans do not use all of their benefits at just one school and transfer to another school or program at some point in their educational career. If they do transfer schools, their previously earned credits can play a large role in determining the length of time it may take for students to complete their program at their new school, and in some cases, not all earned credits may transfer over.

The Committee believes that veterans or servicemembers planning to use their education benefits should have a full understanding of their school’s credit transfer policies with other schools before attending such institution. To help students understand the transfer of credits, most schools have set up articulation agreements. These agreements outline a school or training program’s policy for accepting students’ credits earned from another institution, and they are used to specify the acceptability of certain courses towards meeting degree, certificate, or program requirements. Knowledge of the school’s articulation agreements would empower student veterans to make the right choice about a school or program that appropriately provides them credit for previous coursework or training.

The Committee is also concerned that too few veterans are taking advantage of the free educational and vocational counseling provided by VA through Chapter 36 of title 38, U.S.C. When testifying at a full Committee legislative hearing on H.R. 5047, Mr. Raymond C. Kelley, Director of the National Legislative Service of the Veterans of Foreign Wars of the United States agreed and stated the following:

There are reports suggesting some veterans are not receiving a satisfactory education when using their G.I. Bill benefits and other tuition assistance programs. This is because student veterans are bombarded with overwhelming

amounts of educational information with little or no training on how to make an informed decision. We believe this issue stems from veterans being unaware of free pre-enrollment counseling services offered by VA.

To address this issue and further inform veterans about the importance of articulation agreements, Section 2 of H.R. 5047 would require VA, within 90 days of enactment, to provide information regarding vocational and educational counseling available under Chapter 36 of title 38, U.S.C., to student veterans. The Secretary would be required to provide this information in the veteran's certificate of eligibility for G.I. Bill benefits. Additionally, Section 2 would require that VA provide information about articulation agreements of any school or training program at the request of the veteran if they are interested in attending that school.

The Committee believes the requirements in Section 2 would strengthen VA's existing regulations and practices, and would provide student veterans with additional necessary information to make an informed choice about which school or training program is best for them.

HEARINGS

On June 23, 2016, the full Committee conducted a legislative hearing on various draft bills and bills introduced during the 114th Congress, including H.R. 5047. The following witnesses testified:

The Honorable Doug Lamborn, U.S. House of Representatives, 5th District of Colorado; The Honorable Dina Titus, U.S. House of Representatives, 1st District of Nevada, The Honorable Raul Ruiz, U.S. House of Representatives, 36th District of California; The Honorable Beto O'Rourke, U.S. House of Representatives, 16th District of Texas; The Honorable Ron DeSantis, U.S. House of Representatives, 6th District of Florida; The Honorable Ted Yoho, U.S. House of Representatives, 3rd District of Florida; The Honorable Jody Hice, U.S. House of Representatives, 10th District of Georgia; The Honorable Dan Newhouse, U.S. House of Representatives, 4th District of Washington; The Honorable David Young, U.S. House of Representatives, 3rd District of Iowa; The Honorable Sloan Gibson, Deputy Secretary, U.S. Department of Veterans Affairs who was accompanied by Ms. Laura Eskenazi, Executive in Charge and Vice Chairman, Board of Veterans Appeals, U.S. Department of Veterans Affairs, Mr. David McLenachen, Deputy Under Secretary for Disability Assistance, Veterans Benefits Administration, U.S. Department of Veterans Affairs, and Dr. Maureen McCarthy, Assistant Deputy Under Secretary for Health Patient Care Services, Veterans Health Administration, U.S. Department of Veterans Affairs; Mr. Raymond Kelley, Director of the National Legislative Service, Veterans of Foreign Wars of the United States; Mr. Paul Varela, Assistant National Legislative Director, Disabled American Veterans; Mr. Carl Blake, Associate Executive Director of Government Relations, Paralyzed Veterans of America; Mr. Louis J. Celli, Jr., Director of the National Veterans Affairs and Rehabilitation Division, The American Legion; and Mr. Rick Weidman, Executive Di-

rector for Policy and Government Affairs, Vietnam Veterans of America.

A Statement for the Record was submitted by the following:

American Battle Monuments Commission; AMVETS; U.S. Court of Appeals for Veterans Claims; Iraq and Afghanistan Veterans of America; Military Officers Association of America; Military Veterans Advocacy, Inc.; National Organization of Veterans Advocates; National Veterans Legal Services Program; P.A.W.S. Foundation; Stetson University College of Law's Veterans Law Institute; and the U.S. Department of Labor.

SUBCOMMITTEE CONSIDERATION

There was no Subcommittee consideration of H.R. 5047.

COMMITTEE CONSIDERATION

On September 21, 2016, the full Committee met in open markup session, a quorum being present, and ordered H.R. 5047, favorably reported to the House of Representatives by voice vote.

A motion by Representative Mark Takano of California to report H.R. 5047 favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, no recorded votes were taken on amendments or in connection with ordering H.R. 5047 reported to the House.

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 ensure the Secretary of Veterans Affairs provides information to GI Bill eligible students about schools' articulation agreements.

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. 5047 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. 5047, 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

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 5047, provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 12, 2016.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5047, the Protecting Veterans' Educational Choice Act of 2016.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is David Newman.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 5047—Protecting Veterans' Educational Choice Act of 2016

H.R. 5047 would require the Department of Veterans Affairs (VA) to include information on articulation agreements when it provides educational and vocational counseling to veterans. Articulation agreements are arrangements between institutions of higher learning regarding how those institutions will grant academic credit for course work pursued at other such institutions. CBO expects that if the bill were enacted, VA would provide veterans with the required information as part of its regular counseling services.

CBO estimates that the cost of collecting the necessary information from educational institutions would be less than \$500,000 over the 2017–2021 period; such spending would be subject to the availability of appropriated funds.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 5047 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 5047 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is David Newman. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 5047, prepared by the Director of the Congressional 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. 5047.

STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to Article I, section 8 of the United States Constitution, H.R. 5047 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. 5047, does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(g) of H. Res. 5, 114th Cong. (2015), the Committee finds that no provision of H.R. 5047, 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 section 3(i) of H. Res. 5, 114th Cong. (2015), the Committee estimates that H.R. 5047 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 1 cites the short title of H.R. 5047, to be the "Protecting Veterans' Educational Choice Act of 2016."

Section 2. Department of Veterans Affairs provision of information on articulation agreements between institutions of higher learning

Section 2(a) would require that VA counselors who provide educational or vocational counseling pursuant to section 3697A of title 38, U.S.C., also provide information to eligible beneficiaries about the articulation agreements of each institution of higher learning that they are interested in attending.

Section 2(b) would require that when VA provides a certificate of eligibility to veterans for education assistance under title 38, U.S.C., that they also provide detailed information about their educational assistance benefits including information on requesting education counseling and articulation agreements.

Section 2(c) would provide definitions for terms used by this section. The term “institution of higher learning” would have the meaning given to such term in section 3452(f) of title 38, U.S.C. The term “articulation agreement” would have the meaning given to such term in section 486A of the Higher Education Act of 1965 (P.L. 89–329).

Section 2(d) would require the Secretary of Veterans Affairs to implement this Section no later than 90 days after enactment.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

If enacted, this bill would make no changes in existing law.

