

LEGISLATIVE HEARING ON H.R. 3218, THE HARRY  
W. COLMERY VETERANS EDUCATIONAL ASSIST-  
ANCE ACT OF 2017

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HEARING

BEFORE THE

COMMITTEE ON VETERANS' AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

MONDAY, JULY 17, 2017

**Serial No. 115-25**

Printed for the use of the Committee on Veterans' Affairs



Available via the World Wide Web: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2018

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# LEGISLATIVE HEARING ON H.R. 3218, THE HARRY W. COLMERY VETERANS EDU- CATIONAL ASSISTANCE ACT OF 2017

Monday, July 17, 2017

COMMITTEE ON VETERANS' AFFAIRS,  
U. S. HOUSE OF REPRESENTATIVES,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 7:26 p.m., in Room 334, Cannon House Office Building, Hon. David P. Roe [Chairman of the Committee] presiding.

Present: Representatives Roe, Bilirakis, Coffman, Wenstrup, Radewagen, Bost, Poliquin, Dunn, Arrington, Rutherford, Bergman, Banks, Gonzalez-Colon, Walz, Takano, Brownley, Kuster, O'Rourke, Correa, Sablan, Esty, Peters.

## OPENING STATEMENT OF DAVID P. ROE, CHAIRMAN

The CHAIRMAN. Good evening, everyone. Thank you for being here tonight at this nighttime hearing. As you all know, I try to limit these late evenings but I cannot imagine a topic more worthy of our attention than ensuring that veterans have the education benefits they have earned and deserve.

I am proud and excited that we are all here to discuss H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act of 2017, which the Ranking Member and I introduced last Thursday with the support of every single Member of this Committee. H.R. 3218 and how we got here and where we are today is a shining example of how well Congress can and should work together.

This bill is the result of the tireless work of many of the VSOs here tonight and the bipartisan efforts of this Committee. And I am proud of what we will empower servicemembers, veterans, survivors, and dependents to achieve with the improvements and enhancements included in this bill.

This is the first major improvement to the G.I. Bill since 2011 and it encompasses 17 bills introduced by our colleagues, many of whom serve on this Committee, but also Members of this body who share this Committee's commitment to the men and women who serve. This package includes over 28 provisions and brings forward countless enhancements that veterans groups have requested for years. This is not a package that comes along every day.

H.R. 3218 has been aptly named after Mr. Harry W. Colmery, who is credited with actually writing by hand the first draft of the World War II era G.I. Bill. It is appropriate that we honor him for his work on this first G.I. Bill decades ago.

Tonight's package will do a number of things but I want to focus on a couple of key improvements. It would eliminate the 15-year time limit to use G.I. Bill benefits for future eligible beneficiaries. Let me repeat that. For the first time in the history of the G.I. Bill future beneficiaries will be able to carry these benefits with them throughout their lives.

The bill would provide significant increases in G.I. Bill funding for Reservists and Guardsmen, including those who are currently serving on orders that do not accrue G.I. Bill eligibility, as well as dependents, surviving spouses, and surviving dependents; provide 100 percent G.I. Bill eligibility for Post-9/11 Purple Heart recipients; and increase opportunities for veterans to complete a STEM degree or other high technology programs, something I know Leader McCarthy has advocated for. And it is a privilege to have him join us here tonight.

The provisions I just mentioned only scratch the surface of the benefits that our veterans and survivors will receive under this bill. I am also proud that my bill, H.R. 1956, the Caring for Families of our Wounded and Fallen Heroes Act, is included in this package. This bill would provide additional \$200 per month in education benefits to surviving spouses and children, those of whom do not qualify for the Fry Scholarship. These individuals understand all too well what it means to make the ultimate sacrifice and it is our duty and honor to provide for them as best we can.

Before I yield to the Ranking Member, I would be remiss if I did not give my sincere thanks to the veterans groups, especially Student Veterans of America, for helping us make this happen. We owe a debt of gratitude to all the veterans' service organizations who pushed for this package and stuck it out with us every step of this long process while we worked to make this the best bill it can be. I commend and thank you because we without a doubt would not be sitting here on the verge of this historic moment without your efforts.

I now turn it over to Ranking Member Walz for his statement.

Mr. WALZ. Well thank you, Chairman Roe. This really is a great night. I think sometimes patting ourselves on the back for things, you should not be thanked for what you are supposed to do. But I think it is important to understand that legislating is never supposed to be easy. And this Committee again has proven that we can come together if the goal is a unified desire to see the best care and the honoring of our commitment to our veterans. And that has happened.

I also think the way we do business in here, and this is a testament to Chairman Roe's leadership, we need to conduct ourselves in a manner that is befitting of the sacrifice of those who serve in uniform to allow us to self-govern. And this Committee comes together. We differ on issues but we do it in a manner that is befitting of that. So I am grateful.

I too would like to thank all the Members of this Committee who have put in hard work. Many of their ideas are incorporated into this bill. Those veterans' service organizations, as mentioned Student Veterans of America, I kind of heard someone said they are the new kids on the block. If that is true they are pretty quick learners. And they are pretty good at getting things done and I am

grateful for that. To the American Legion, the VFW, and IAVA, once again, holding true to the Vietnam Veterans' mantra that one generation of veterans will never forget another. I think this is multi-generational in how this bill impacts people, so I am grateful.

To our witnesses today, to the Ranking Member, thank you for your active engagement in veteran's issues. Thank you to Mr. McCarthy for making this a priority, saying it, and following through with actions. We are grateful for that. Colonel Cook, as always, welcome back here. You did much good sitting on this Committee and you continue to do so. So, we are glad to have you here.

The Chairman mentioned some of the highlights. I would just like to thank the Forever Bill, also the name that may stick a little bit to this too, is lifting that 15-year gap, understanding the reality of what modern warriors look like and what it involves to serve this Nation in uniform, whether active or in Reserve. It is just smart policy. Honoring those Purple Heart recipients, just again smart. And I want to thank Mr. Peters for his continuous, since he has been in Congress, making sure that they are honored for their commitment.

And I would also like to say the Guard and Reserve Caucus, Mr. Palazzo, my co-chair in that, and all of us who have Guard and Reserve soldiers, the issue of the 12304(b) of the call-ups under Title 10, that basically created a second class of warriors that were out there. I have to tell you, this happened on Thursday night. Saturday I was at a welcome back ceremony for the 2nd of the 135, the Red Bulls, who have been doing the Sinai Mission. And they had not yet heard this. And to tell them that they are going to be restored and have their benefits that they had earned was just something to behold, to see. And the thing that I heard afterwards is working on this together for us really means something. It means that, you know, the sacrifice and what they did there does show that it matters.

So thank you all. We have got a little bit of a lift yet. We would hope our Senate colleagues will follow our lead, take this thing, move it through. And I know the President wants to sign this. And I am grateful and once again to the leadership for putting this on the calendar, which I think is almost unprecedented in guaranteeing us to get this to the floor. On behalf of our Nation's veterans, thank you, Mr. Leader. I yield back.

The CHAIRMAN. I thank the gentleman for yielding. Before I yield to the Committee Members for the provisions included in the package, I want to recognize Majority Leader McCarthy for five minutes to discuss his provision as included in this bill. You are now recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE KEVIN MCCARTHY**

Mr. MCCARTHY. Mr. Chairman, Mr. Ranking Member, and all Committee staff. I want to thank you for the opportunity to present to you and say a few words in support of the G.I. Bill reforms that this Committee will take up this week.

First Mr. Chairman and to all Committee Members, I want to begin by recognizing the positive work that this Committee has achieved. This Committee has shown time and again on a bipartisan way on how to govern. It is an example for all Members and

all of our colleagues. You will continue to work on a bipartisan basis and lead Congress to deliver on the duty to provide veterans better health care and positive post-service opportunities. The dynamic here is a model for all of our colleagues, as I said, and I look forward to continuing to work together on behalf of the men and women who protect and serve this country.

Now chief among the promises we make to the men and women who serve is to give them support and resources to obtain an education after service. That is the reason why many will at times even sign up. Applying the lessons they learn in the service to the lessons taught in the classroom is an enrichment opportunity that our society benefits from greatly.

Now the Post-9/11 G.I. Bill has long helped countless veterans in educational and career pursuits. But today we are on the brink of vast career and work transformation. The rise of artificial intelligence and robotics are upending how jobs are performed and we have traditionally known them in the past. But as we saw with the advent of the ATM, this disruption has promised to be a job creator, not a destroyer.

The challenge before us is securing the right response for Americans to get ahead and take advantage of the changes. Now news reports have shown and highlighted the skills gap in today's workforce. If we just look at the AP headline on the May jobs report, it was concise. Jobs data could signal a shortage of qualified workers to hire. By 2024 the tech industry is expected to add almost 500,000 new jobs to the industry. However, many tech employers are looking for candidates who have a particular skill set that candidates often do not learn in traditional settings. Consequently industry employers have turned to non-traditional programs like boot camps, nanodegrees, and coding schools to find candidates with the necessary skill set.

The traditional career path is no longer a straight shot. These non-traditional technology education models are just part of the solution to closing the skill gap. Just ask Alphabet, Microsoft, Amazon, Ford, GE, or any other of American's great companies and they will tell you of the promise these non-traditional models hold.

But currently veterans are unable to apply their G.I. education benefits to these courses. My provision in this legislation creates a pilot program to provide veterans the opportunity and ability to take advantage of these education opportunities. Veterans are prime candidates for tech positions because of our military discipline, ability to work under pressure, and teamwork. Many veterans often learn skills during their service and training that could be applied to the tech industry.

The Vet Tech Act enables veterans to enroll in non-traditional technology courses and programs that are geared to getting a job after completion. The provision also provides the VA the necessary flexibility to approve these education programs while also guarding against abuses. These reforms the Committee will consider this week will have a positive impact felt by the veterans returning to civilian life. This impact will be lifelong. And with the renewed commitment to a career preparation, particularly in the technology industry, American industry and our veterans stand to lead in the 21st Century.



I happen to serve in California. I look time and again at the number of jobs that are being hired. I look at the number of tech education that are helping change with nanodegrees, the skill set for the individuals to be able to be there. But when I go to them and I meet with veterans and I know their background, I know their education, and I know their knowledge of what they served when they served in the military, not to be able to use a G.I. Bill to get a nanodegree to be hired by some of the top companies in this country that are craving them, I think it is a travesty and I think it is something that has to change.

That is why I thank you for your work and the work you will do this week and I look forward to putting it on the floor and getting it done in the next week. And I yield back.

The CHAIRMAN. I thank you, Mr. McCarthy. And I appreciate your passion for this and I appreciate your support for forward this bill next week. And I know you have places to be so you are now excused. Thank you for being here.

Before we recognize our other colleagues at the witness table, I will recognize Committee Members who have provisions included in H.R. 3218. Mr. Takano, let us start with you. You are recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE MARK TAKANO**

Mr. TAKANO. Thank you, Mr. Chairman. I want to join my colleagues in expressing support for this bipartisan effort to secure the G.I. Bill for future generations of veterans.

The G.I. Bill serves two critical functions. First it is a powerful tool for recruiting talented young people into military service. As we approach our 16th year of war, replenishing our all-volunteer military with patriotic and qualified Americans is vital to our mission abroad and our safety here at home.

Second, the G.I. Bill ensures that veterans return home to more than just a thank you and a pat on the back. It ensures they are given the opportunity to build a rewarding, purposeful, and prosperous civilian life.

This legislation guarantees that the G.I. Bill will continue both of these functions for decades to come. And importantly, it does so without cutting benefits from anyone who is currently serving.

I want to echo many of the supportive comments we have heard this evening and over the last week from Members of Congress, as well as the veteran's service organizations that play an important role in representing the veteran's community. The removal of time restrictions for future G.I. Bill recipients, the deserved increases in funding for Reservists and Guardsmen, and the additional educational support for veterans' families, are all features of this legislation that are worth celebrating.

This bill also incorporates my proposal to permanently authorize VA's work-study allowance program and my proposal to end the unequal treatment of Reservists and Guardsmen. This legislation gives them the same ability as Active duty servicemembers to accrue G.I. Bill benefits when they are ordered into Active duty to receive medical care.

But I want to focus my comments on one piece of this legislative package that represents a major step forward for student veterans.

For far too long swarm of predatory, for-profit schools have exploited the generosity of the G.I. Bill and have cheated thousands of veterans out of the education and the future they deserve. A 2014 Senate HELP Committee study found that eight of the top ten schools receiving Post-9/11 G.I. Bill money were for-profit institutions. At the time, seven of those eight schools were under investigation for unethical business practices, including the now defunct ITT Technical Institute and Corinthian Colleges. From 2009 to 2015, these two schools collected more than \$1 billion in veteran's benefits. I am pleased that this bill provides relief to the thousands of student veterans who were left with non-transferable credits and a depleted G.I. Bill benefit when their school abruptly closes in the middle of a semester. Restoring both tuition and housing benefits to these veterans for a semester cut short by a school closure is simply the right thing to do. And by making this provision retroactive we are restoring a measure of justice for the students at ITT Tech and Corinthian, as well as others across the country who have been left out in the cold by a college that shuts down without warning.

I have advocated for this provision since my first days in Congress and I truly appreciate Chairman Roe's and Ranking Member Walz' work to include it in this bill. However, this bill does not solve the problem of unethical schools preying on veterans' benefits. In fact, its inclusion is evidence that much more needs to be done so that veterans are never forced to seek this type of relief in the first place. The 90/10 loophole, which allows for-profit schools to count G.I. Bill benefits as private funding instead of Federal funding, continues to incentivize aggressive recruitment of student veterans. That loophole still needs to be addressed. The gainful employment borrower defense rules, which the Trump administration has put on hold, would finally establish oversight and accountability for unethical schools. Those rules still need to be implemented. As long as these issues remain unresolved, bad actors in the for-profit education industry will continue to defraud student veterans and taxpayers out of billions of dollars.

I look forward to working with my colleagues to build on the progress we have made on this issue. Though there is no question that we still have significant work ahead of us to address the challenges facing the veteran's community, but this legislation is a milestone worth celebrating and certainly worth passing into law. The collaborative nature of this bill reflects the spirit of bipartisanship that has made this Committee so effective over the past several months. Once again, I applaud the Chairman and the Ranking Member for their leadership, as well as my colleagues on the Committee who contributed to the strength of this legislation. I encourage all Members to support this bill and I yield back the balance of my time.

The CHAIRMAN. I thank the gentleman for his comments and I thank the gentleman for yielding. Mr. Bilirakis, you are recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE GUS BILIRAKIS**

Mr. BILIRAKIS. Thank you very much, Mr. Chairman. And I want to thank the Ranking Member as well. I would like to thank my

colleagues from both sides of the aisle for all their hard work in drafting this important and bipartisan piece of legislation. And I really appreciate, Mr. Chairman, you giving us the opportunity to testify on behalf of our provisions tonight. I really appreciate it. It is very good for the public and our veterans to know what is in the bill.

I am proud of the work we have done this year to ensure that we as a Nation take care of our veterans when they return home. But there is always more work to be done for these honorable Americans. The brave men and women of our U.S. armed forces have answered the call to protect the liberties we enjoy on a daily basis. We must answer the call to help our veterans in return.

The challenges our Nation's heroes face do not end on the battlefield but continue as they make their transition to civilian life. We must find viable ways to improve both the effectiveness and delivery of transition resources. In order to give the best opportunities to our veterans, we must be prepared to address new needs as they are identified. And we are doing that in this Committee.

I am very pleased my legislation, H.R. 1994, the Veteran Act, was included in the overall bill we are discussing today. My provision will make necessary investments to the information technology systems of the Veterans Benefits Administration.

First, it requires all original and supplemental claims for educational assistance to be done electronically. That makes sense. This will ensure that veterans are able to receive benefits in a more timely and efficient manner. The provision would authorize \$30 million to help the VA carry out the mission of assisting our veterans and getting an education and transitioning back to civilian life.

The Secretary of Veterans Affairs will be required to submit to Congress a plan to implement proposed changes and improvements within 180 days of its enactment. The plan will ensure that this Committee has the necessary information to perform its oversight duties. After a year of implementing the changes, the VA Secretary will also be required to submit a report giving the Committee an update on what is working and what is not working so that we can fix it. This will provide the Committee with the information necessary to continue to improve of course how we serve our Nation's heroes. Overall this section will modernize the G.I. Bill claims processing and help streamline the system for veterans to receive their educational benefits.

Mr. Chairman, I have a letter of support for my bill, the Veteran Act, that is included, again from the Association of the United States Navy, which I would like to ask unanimous consent to include for the record.

The CHAIRMAN. Without objection, so ordered.

Mr. BILIRAKIS. Thank you, Mr. Chairman. In closing, I remain dedicated to ensuring that our Nation's veterans have access to the important educational benefits they have earned and deserve. We have a responsibility to make sure our veterans are fully prepared with the skills, resources, and education they need to thrive in civilian life. I urge my colleagues to support this beneficial piece of legislation and I yield back the balance of my time. Thank you, Mr. Chairman.

The CHAIRMAN. I thank the Vice Chairman for yielding. Mr. Peters, thank you. You are now recognized for five minutes.

**OPENING STATEMENT OF HONORABLE SCOTT PETERS**

Mr. PETERS. Thank you very much, Mr. Chairman. I do appreciate the chance to take a quick second to speak about my bill that is included in this package. The bill would extend full education benefits to honorably discharged Purple Heart recipients, regardless of their length of service.

As you all know, G.I. benefits are based on a rating system and you need 36 months of Active duty to qualify for 100 percent benefits. One out of every five Purple Heart vets from the War on Terror who is using G.I. benefits does not qualify for the full rating. And others are discouraged from pursuing an education at all because their benefit does not cover the full cost of enrollment.

This includes veterans like Marine Corps Sergeant Adrian Aranda, whose squad was hit by a landmine outside of Kandahar Airport in Afghanistan just three months after the 9/11 attacks. He sustained burns, shrapnel damage to the left side of his body, a broken hand, hearing damage, and a traumatic brain injury. Sergeant Aranda and his squad mates were the first servicemembers to receive Purple Hearts in the War on Terrorism.

After his service Sergeant Aranda went on to earn an Associate Degree from a community college and then graduated with a Bachelor's from Texas Tech. And while pursuing his education he discovered that he only qualified for a 50 percent rating for his educational benefits despite being severely wounded in the line of duty. We made a promise to the veterans who rushed to serve their country after 9/11 that we would honor their sacrifice and stand by them when they returned. It is wrong that we would exclude veterans, like Sergeant Aranda, who suffered life-changing injuries fighting for this country from receiving full education benefits.

By including my Purple Heart bill we are going help an estimated 660 Purple Heart recipients per year pursue a college degree or vocational training so they can land a good job and make the peaceful, prosperous transition to civilian life they deserve. In our time of greatest need, these brave servicemembers fought and bled for us. They do not just deserve these benefits. Just like their Purple Heart medals, they have earned them.

Thank you to Chairman Roe, Ranking Member Walz. I agree with Mr. McCarthy on this, this is an exemplar of bipartisanship for the rest of the Congress. It is a pleasure to work on this Committee. I want to thank the entire Committee and Committee staff, and the VSOs, especially in this case the Military Order of the Purple Heart, for working with us to include this as part of the Forever G.I. Bill. And I yield back.

The CHAIRMAN. Thank you, Mr. Peters, for yielding, and those kind remarks. Mr. Coffman, you are now recognized for five minutes.

**OPENING STATEMENT OF HONORABLE MIKE COFFMAN**

Mr. COFFMAN. Thank you, Mr. Chairman. And thank you for holding this hearing tonight and for including my legislation in the Veterans Education Assistance Act. Having earned an under-

graduate degree at the University of Colorado under the Vietnam era G.I. Bill, I fully understand the importance of this benefit to our veterans and to our Nation.

My legislation, H.R. 2549, the G.I. Bill Processing Improvement Act, which I introduced with Congressman O'Rourke, would ensure those receiving G.I. benefits for their military service do so in a more timely manner. It also improves oversight of schools and educational facilities who receive VA funding for requiring them to certify the G.I. Bill funds received are in fact used for veteran's services. Lastly, my legislation would require that school certifying officials, SCOs, are properly equipped to better counsel veterans on academic courses and their financial benefits by requiring more transparency and efficiency from our academic institutions serving our Nation's veterans. We ensure our veterans use their G.I. Bill benefits to realize their full potential.

Mr. Chairman, I am also proud to be an original co-sponsor of this larger G.I. Bill reform effort. The Veterans Education Assistance Act includes many life-changing provisions, such as a lifetime benefit of the G.I. Bill and an additional nine months for G.I. Bill eligibility when pursuing a STEM degree, protection of G.I. Bill benefits for veterans impacted by a school closure, and make it easier for veterans to use their G.I. Bill for tests that lead to a license or a credential.

Mr. Chairman, it is important that this Committee make a veteran's transition as seamless and rewarding as possible. And the Veterans Educational Assistance Act does exactly that. I look forward to continue working with you to make sure we can deliver, you and the Ranking Member, sorry Major Walz, a G.I. Bill that is worthy of the service and sacrifice that those fighting for our Nation have shown.

Thank you, Mr. Chairman. I yield back the remainder of my time.

The CHAIRMAN. I thank the gentleman for yielding. Dr. Wenstrup, you are now recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE BRAD WENSTRUP**

Mr. WENSTRUP. I thank you, Mr. Chairman. I am pleased to be an original co-sponsor of H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act of 2017. And I am thrilled that the legislation I introduced to expand benefits to our military's Reserve and Guard components is included as a provision. This provision, which I introduced as Guard and Reservist Education Improvement Act, would enhance the amount of G.I. Bill eligibility for servicemembers who do not serve enough time to receive 100 percent of the benefit.

So currently servicemembers who serve at least between three to six months and six months to less than 12 months of Active duty service can qualify for 40 and 50 percent of the full G.I. Bill benefits respectively. What this provision would do, it would increase these benefits to 50 percent and 60 percent respectively, which for students attending a private school would result in approximately \$2,300 more a year in tuition than they are receiving now, and would receive even more money for their housing allowance.

The brave citizen soldiers in the Reserve component and the Guard, of which more than a million have been mobilized since 9/11, contribute greatly to the end strength of our armed forces. And they often have to juggle careers, families, and the service to our great Nation. We must do all that we can to support those who put their lives on the line for our great Nation and easier access to an earned education benefit is critical.

The underlying bill goes far to accomplish this goal, increasingly accessibility to the educational opportunities that the G.I. Bill provides helps ensure the men and women who have worn this Nation's uniform receive the benefits they have earned and are equipped with the education they need to be successful. And our veterans have a high success rate in education. So I am proud to support these initiatives and these much needed improvements, many of which originated from veterans themselves and through the VSOs. And I thank my colleagues on this Committee for their willingness and commitment to forge a path forward on a bipartisan basis to get things done.

And with that, Mr. Chairman, I yield back.

The CHAIRMAN. I thank the gentleman for yielding. Mr. Rutherford, you are recognized now for five minutes.

#### **OPENING STATEMENT OF HONORABLE JOHN RUTHERFORD**

Mr. RUTHERFORD. Good evening, Chairman Roe, and Ranking Member Walz, and the rest of the Committee. I want to thank you for this opportunity to testify on behalf of the Julian Woods Yellow Ribbon Program Expansion Act, which has been included in Section 108 of H.R. 3218.

In my time as a Member on this Committee, I have been encouraged by our work to improve the lives of our servicemembers and their families. Almost every day we hear about new ways we can enhance the assistance our servicemembers and their families receive. And I believe as you do that it is very important that we seriously take recommendations under consideration.

One component of these benefits focuses on the educational success of these selfless men and women. The Marine Gunnery Sergeant John David Fry Scholarship currently pays a benefit equal to the Post-9/11 G.I. Bill to the children and surviving spouses of servicemembers who die in the line of duty. Eligible recipients are entitled to 36 months of benefits at the 100 percent level. They receive a monthly living stipend and book allowance. Roughly 6,000 surviving dependents and spouses of those who died serving their country rely on this scholarship to cover their educational expenses. And as anyone who has sent a child or a loved one to school recently knows, college is incredibly expensive. The current benefit payment of the Post-9/11 G.I. Bill is roughly \$23,000 a year, which covers most of the institutions. Though not the intent of the law this cap places financial restrictions on prospective students that have suffered the hardship of losing a loved one.

For servicemembers on the Post-9/11 G.I. Bill this is where the Yellow Ribbon Program comes in to help. Under the Yellow Ribbon Program degree granting institutions of higher learning may choose to make additional funds available if the cost of attendance is above the cap that is set by the Post-9/11 G.I. Bill. These institu-

tions voluntarily enter into an agreement with the VA at no additional cost to the servicemember's G.I. Bill privilege and the VA matches that amount to help cover the additional cost. Hundreds of institutions participate in this program.

Under current law, however, those on the Fry Scholarship are not eligible for the Yellow Ribbon Program. This means that the surviving spouses and children of those who have died in the line of duty are limited in their ability to choose the institution of higher learning that would best help them succeed.

Section 108 is simple yet impactful. It would extend the Yellow Ribbon Program to those on the Fry Scholarship. I believe that when we empower the Members of our servicemen and women, both fallen and surviving, we strengthen our communities, we embolden our institutions, and we reinvigorate our future.

Upon introduction of this bill, I was reminded of Petty Officer 3rd Class Julian Woods, a Jacksonville native killed in action in Fallujah during Operation Iraqi Freedom in 2004. Petty Officer Woods was a hospital corpsman killed by enemy fire as he rushed to aid a fallen soldier. When I introduced H.R. 2103 I spoke with Julian's mother, Carolyn. She told me that any work that we do to ease the mind of any person who either served or lost someone they loved in the line of duty is of incredible importance. I agree with her and I want to do everything that we can to ease the burden of those who have lost a loved one, including the Petty Officer's only daughter. His loss was a tragedy for his family, his daughter, our community, and our Nation.

I thank the Chairman, the Ranking Member, and the VSOs, and the Committee staff for working together on this vital piece of bipartisan legislation. And I look forward to working with you all to move it forward. I yield back the balance of my time.

The CHAIRMAN. Thank you, Mr. Rutherford, for that compelling testimony. Mr. Banks, you are now recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE JIM BANKS**

Mr. BANKS. Thank you, Mr. Chairman. We all obviously agree on the importance of economic opportunity and skills acquisition for our veterans. Helping our veterans not just afford an education but also to maneuver the transition from servicemember to student is one of the best ways that we can help our veterans.

Since 2009 the VA has operated a pilot program called Vet Success on Campus, or VSOC, which helps veterans, servicemembers, and their families succeed on campus by providing educational and vocational counseling services. These services are provided through a vocational rehabilitation counselor who works with student veterans to ensure they reach both their educational and career goals. This includes equipping them with the knowledge on how to effectively use the G.I. Bill.

The pilot program began in 2009 and since then it has expanded to 94 campuses across the country. In March, I introduced legislation that would make this a permanent program authorized by statute. The text of the bill has since been included in the bill we are discussing today, H.R. 3218, along with many other important reforms for our student veterans. For that, I am very grateful on

behalf of the thousands of veterans on college campuses all over the country.

With that, Mr. Chairman, and with over three and a half minutes left, I yield back.

The CHAIRMAN. I think everyone in the room thanks the gentleman for that. I thank all of my colleagues and with us today at the witness table we have our colleagues, Colonel Paul Cook of California, a former Member of the Committee, and Luke Messer of Indiana, a policy chair on the Republican side. Thank you for being here tonight, introducing bills we included in the package. Mr. Messer, you are now recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE LUKE MESSER**

Mr. MESSER. Well, thank you, Mr. Chairman. I did not know I would be first. First I want to thank you for your leadership, and your commitment to veterans, and your help with me today as we worked through this legislation on this bill. I want to thank all the Members of the Committee for the important work that you do. And I do have to give a slight shout out to my colleague from the great Hoosier State and appreciate his leadership, Mr. Banks, and all you do for the Committee.

I also wanted to thank you for including my proposal in this legislation to help veterans impacted by the closure of ITT Tech in this bipartisan G.I. Bill reform package. When Indiana based ITT Technical Institute abruptly closed its doors, 40,000 students nationwide, including 7,000 veterans, were left high and dry. Thankfully help came for some. If a student attended ITT Tech through a Pell Grant, they had that Pell Grant restored. And if they took out a Federal loan, the loan was forgiven. But nothing has been done for the student veterans who used their G.I. Bill benefits to attend ITT Tech. Frankly, our veterans got a raw deal.

Jason Nicos, a U.S. Navy veteran from Greenfield, Indiana in my district, had to start his degree completely from scratch after spending two years at ITT Tech. Not a single credit transferred and his G.I. Bill is going to run out before he can finish a new degree. He told my office, "to spend two years of my life at a place with nothing to show for it is one of the biggest disappointments I have ever experienced." And Jason's story is sadly one of thousands. It is not fair that these veterans would lose their G.I. benefits through no fault of their own. They deserve better. My proposal restores G.I. Bill benefits to veterans who were attending ITT Tech when it closed so that they can finish their degree elsewhere. It also helps veterans who may be impacted by a school closure in the future. Our servicemen and women count on G.I. Bill benefits to help them start a career and build a life after serving our country. The least we can do is to make sure they get that chance.

Thank you, Chairman, again, and thank your staff for working with us on this critical issue. And I yield back the two minutes and 30 seconds of my time.

The CHAIRMAN. I thank the gentleman for yielding and some of us, as Mr. Walz pointed out, in Congress may spend two years and accomplish absolutely nothing either. So we are glad this is something that was overlooked and should be taken care of. And I am really, really pleased that these students are going to be able to get



their time back and be able to go on with their lives. Colonel, you are now recognized for five minutes.

#### **OPENING STATEMENT OF HONORABLE PAUL COOK**

Mr. COOK. Thank you, Mr. Chairman. First I want to thank you and Ranking Member Walz for including my bill, H.R. 245, the Veterans Education Equity Act, as part of the larger G.I. Bill reforms.

As a veteran and college professor, serving veterans and ensuring an affordable path to higher education have always been high priorities. The G.I. Bill addresses these two critical issues and has been a huge success in helping millions of veterans get an education.

By the way, I want to correct the record in that Mr. Poliquin has been spreading a rumor that I was a veteran of the Revolutionary War. And I just wanted to make sure that was included.

One part of the G.I. Bill is the basic allowance for housing, a monthly stipend that assists veterans with living expenses while in school. Unfortunately the current formula prevents some veterans from receiving a fair housing payment based on their true cost of living or housing. Currently the basic allowance for housing payment is based on the zip code where the veteran's school is headquartered rather than the zip code where the veteran attends classes. This policy results in a monthly payment that sometimes fails to cover basic housing needs or far exceeds the cost of living in certain areas. It also places school headquarters in lower income zip codes at a recruiting disadvantage because they offer student veterans a much lower monthly payment than satellite campuses of schools headquartered in more expensive areas.

In the Morongo Basin, which is the home to the Marine Corps Air Ground Combat Center, and I might add that one of the Members of your Committee formerly served in that area where I live, many of the veterans utilizing the basic housing allowance are adversely affected by the current payout formula.

Take for example, one community college is located and headquartered in Joshua Tree, California, a low-cost area, and a second one is headquartered in Orange County, California, a very expensive area, but offers classes at satellite facilities in the Morongo Basin. Because the current basic allowance for housing payment is calculated based on the zip code where the college is headquartered, veterans in the Morongo Basin taking classes from the Orange County-based college receive as much as a thousand dollars more per month than students taking classes at the locally headquartered community college.

These are students living in the same community with the same housing costs, but one student receives significantly more money than the other student. This not only effectively subsidizes some school at the expense of others, but also wastes valuable taxpayer dollars that should be spent on educating our veterans.

In other communities, the reverse is true. Satellite campuses that are headquartered in less expensive communities can leave student veterans without sufficient funds to cover their housing needs.

The Veterans Education Equality Act fixes this discrepancy by calculating the basic allowance for housing payments based on

where the student attends classes, not where the institution of higher learning is headquartered. This bill ensures veterans receive an adequate and fair housing allowance while eliminating a source of abuse in the program. It will ensure that veterans receive payments that meet their true costs of housing.

Chairman Roe and Ranking Member Walz, I want to thank you both again for including my bill in the Harry Colmery Veterans Educational Assistance Act of 2017.

I have 15 seconds and I want to also add that to the time left on it, and I talked longer than most people.

Thank you again for the time.

The CHAIRMAN. Thank you, Colonel. I appreciate both of you all being here.

And we will forgo a round of questions for our colleagues. Any questions that anyone may have may be submitted for the record.

Thanks both for you being here. You all are excused now.

Mr. COOK. Thank you, sir.

Mr. MESSER. Thank you.

The CHAIRMAN. Thank you all.

Joining us on our second panel and final panel is Mr. Curt Coy, Deputy Under Secretary for Economic Opportunity at the Department of Veterans Affairs, who is accompanied by Mr. James Ruhlman, Assistant Director for Policy and Procedures of the VA Education Service; Mr. Patrick Murray, Associate Director of the National Legislative Service for the Veterans of Foreign Wars; Mr. William Hubbard, Vice President of Government Relations for Student Veterans of America; Mr. John Kamin, Assistant Director of the Veteran Employment and Education Division for the American Legion; and Ms. Ashlynn Haycock, the Senior Coordinator for Education Support Services at the Tragedy Assistance Program for Survivors.

Thank you all for joining us tonight.

Your complete written statements will be entered into the hearing record.

Mr. Coy, you are recognized for five minutes.

#### **STATEMENT OF MR. CURTIS L. COY**

Mr. COY. Good evening, Chairman Roe, Ranking Member Walz, and distinguished Members of the Committee, and particularly those Members of the Economic Opportunity Subcommittee.

Thank you for the opportunity to be here today to discuss legislation pertaining to the Department of Veterans Affairs programs. Perhaps more importantly, thank you for your passionate interest in our student veterans. It is an honor to be here to represent VA and those individuals who work hard every day to deliver those benefits veterans have earned.

And if I may, we would also like to again compliment the Committee staff for their professionalism, hard work, and passion to assist veterans.

Accompanying me today is James Ruhlman, Deputy Director of our Education Service.

As we reviewed the Harry W. Colmery Veterans Educational Assistance Act of 2017, we are encouraged by the number of sections

aimed at improving educational opportunities for veterans and their beneficiaries.

When I testified at the Senate Veterans' Affairs Committee on many of the same proposed legislative actions, I said the Post-9/11 GI Bill is truly transformative.

In a recent talk I gave, I indicated that the original GI Bill or Servicemen's Readjustment Act of 1944 was the product of what happens when goodwill and the right thing come together in Congress. It created a civil renaissance by treating all veterans as first class citizens. Empowering veterans proved and continues to prove to be the catalyst to revitalizing and driving America forward.

The original GI Bill was heralded as a success and a major contributor to America's stock of human capital that sped long-term economic growth across the Nation. Eight million World War II veterans used the GI Bill and Tom Brokaw called them "The Greatest Generation." Many believe, including me, particularly as you look at the young men and women testifying this evening, all GI Bill graduates, that we are on the precipice of the next greatest generation. And that is no slight to veterans in between, including myself.

I am hopeful that this hearing will be somewhat uneventful, as VA has outlined support, some with concerns in a caveat that they are subject to offsets for almost all of these sections. We are happy to work with the Committee to ensure we achieve the best possible outcomes for veterans, servicemembers, and their families.

We also note that many of these bills would require changes to our IT systems, and will require staff and resources in order to successfully implement them. We appreciate your consideration of many of the effective dates that give us time to implement them should they be signed into law.

The Department looks forward to working with the Committee. And rather than attempt to synopsise our views on each of the 29 sections, we would like to return some of my time in my oral statement in order to have the opportunity for the Subcommittee to ask questions and comment on my testimony.

Mr. Chairman, this concludes my statement. Again, thank you for your generous interest in improving the lives of veterans and their families, and I would be pleased to respond to any questions you or the Members of the Committee may have.

[THE PREPARED STATEMENT OF MR. COY APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you, Mr. Coy.

And just a question I want to ask the audience and everybody in this room, how many of us have used a GI Bill? Just hold your hand up.

Thank you very much. Thank you.

Mr. Murray, you are now recognized for five minutes.

#### **STATEMENT OF MR PATRICK D. MURRAY**

Mr. MURRAY. Chairman Roe, Ranking Member Walz, and Members of the Committee, on behalf of the men and women of the Veterans of Foreign Wars of the United States and its Auxiliary, thank you for the opportunity to provide our remarks on today's pending legislation.

The VFW strongly supports restoring educational benefits for those servicemen and women called to Active Duty, National Guardsmen and Reservists who were placed on involuntary activation orders that did not allow them to accrue benefits through time and service like their Active duty counterparts.

While stationed abroad and away from their homes and families, these troops are denied the ability to gain educational credit for use after demobilization. 12304(b) and additionally 12301(h) orders need to be amended to keep the activation authority, but re-institute the benefits that were removed. Thousands of National Guardsmen and Reservists have been affected by this change.

More and more, DoD is using our Nation's reserve component to fight our decade-and-a-half war against terror, and these men and women to come home without equal benefits is something that must be changed.

The VFW supports giving full educational benefits for recipients of the Purple Heart. For the past decade and a half, we have been sending Reservists into harm's way at an unprecedented level and some of them have been wounded in the line of duty. Nearly 1500 of these citizen soldiers have bled for this country, but have not accrued enough Active duty time to obtain full GI Bill benefits. This is the least we can do as a country to help those who put their bodies on the line for our freedom.

I especially support this bill because I have a personal relationship to it. Jonathan Goldman served in Iraq in my squad and he was my driver the night that our vehicle was hit by an IED. John, like the rest of our team, was pretty banged up, but he was the only one who ultimately did not have to end up being medically retired due to his wounds. John still carries the scars with him today and he is not eligible for many of the other benefits that myself and my other teammate received.

Extending mere months of education eligibility for troops like John is something the VFW fully supports and I personally support vehemently.

Finally, I would like to focus on the school closure section of this bill. The VFW strongly supports this portion of the legislation to protect student veterans who are negatively affected by school closures. Recently, ITT Tech, Corinthian, and West Tech College suddenly shuttered their doors after losing accreditation. This left thousands of student veterans out of school mid-semester with no plan for what to do the rest of the term. They have lost weeks or months of GI Bill benefits that were wasted at failed institutions. Even worse, they lost the monthly housing stipend many relied upon for their living situation.

After the failure of ITT Tech, the VFW reached out to these student veterans affected by the closure and offered them assistance through our Unmet Needs Grant Program. The VFW provided students with emergency grants in order to keep them afloat for another month or so.

The impact the school closing had on these student veterans was devastating. We received multiple responses to the students we reached out to and the reports of their situations was disheartening, to say the least. We had reports of veterans being mere weeks away from living in their cars, veterans choosing between

which meals to skip during the day, and no help from the VA or their schools to rectify the situation.

Thankfully, we were able to reach out and help these students during their struggle, but the VFW and organizations like ours cannot be the only entities stepping up to remedy the situation. We provided the student veterans with some financial stability to make it through the next few weeks while they got settled after this major life upheaval; this, however, was only a Band Aid for the real problem.

These student veterans need protection for issues like this so they will not be affected as badly as they are in the future.

This legislation allows for the affected student veterans to recoup the lost months of GI Bill eligibility in only the semester their schools are closed. While we support this initiative, we feel it does not go far enough. We think student veterans should be able to recoup their months of eligibility wasted at the closed institutions, just like traditional students can with Pell Grants.

Student veterans who attended schools like ITT have now lost these months eligibility and they have no credits to show for it. The VFW has heard from these student veterans from the closed schools and they are now struggling to complete their degrees at other institutions without their previous earned credits.

GI Bill eligibility should be allowed to be recouped and student veterans deserve the same equality as every other student affected by school closures. This bill is an important first step towards rectifying this entire situation.

Mr. Chairman, this concludes my testimony. I will be happy to answer any questions you or the Committee may have.

[THE PREPARED STATEMENT OF MR. MURRAY APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you, Mr. Murray.

Mr. Hubbard, you are now recognized for five minutes.

#### **STATEMENT OF MR. WILLIAM HUBBARD**

Mr. HUBBARD. Chairman Roe, Ranking Member Walz, and Members of this Committee, thank you for inviting Student Veterans of America to submit our testimony on the Harry W. Colmery Veterans Educational Assistance Act.

This legislation seeks to fix many of the current challenges within the Post-9/11 GI Bill, while also addressing ongoing inequities to provide veterans and their family's access to the benefits they earned.

In May, we convened nearly 40 military, veteran, and higher education organizations for a roundtable discussion at the headquarters of our friends at the American Legion to discuss education policy priorities for veterans, and last week we had the second roundtable discussion, hosted by our gracious friends at the VFW, to determine how we make those priorities a reality.

This proposal is where it is at today thanks to the incredible leadership of this Committee, as well as the support from the following organizations: The Veterans of Foreign Wars, Got Your 6, the Tragedy Assistance Program for Survivors, Vietnam Veterans of America, the American Legion, and the Military Order of the

Purple Heart. This broad coalition of organizations, and many others, is firmly committed to getting the Colmery GI Bill through this Congress and onto the President's desk for signature.

The first inequity addressed in this proposal includes the National Guard and Reserve members who served under the 12304(b) authorization orders. I would like to highlight the case of the deployment of the Special Purpose Marine Air Ground Task Force in 2016 who experienced this issue firsthand.

In the case of this unit, hundreds of Marine Corps Reserves were inaccurately advised by senior leadership that they would receive GI Bill benefits for their Active duty service, only to later learn that they would get nothing. The fully retroactive solution in this proposal addresses this regrettable oversight.

Next, this legislation would begin to tackle the challenge of making whole veterans who experience school closures. The closure of ITT Tech demonstrated that the issue of school closures is not likely to go away any time soon. Beginning with the stunning moral and fiscal bankruptcy of the Corinthian Colleges brought to light in 2015, student veterans are known to be the only students that currently receive no type of restitution.

We also strongly encourage the consideration of the following recommendations. Broaden the restitution for veterans who experience school closures, ensuring that VA has similar authority to restore GI Bill benefits as the Department of Education to provide restitution for Federal student loan borrowers after school closures.

Full funding for the state approving agencies, the watchdogs of the GI Bill, with a total annual increase from \$19 million to the requested funding rate of \$26 million, with assurances that these additional funds will help prevent future school closures by looking out for signs of predatory programs.

Restoration of GI Bill benefits for any credits earned at a closed school that cannot be transferred to a new program or institution, with a specific focus on providing relief to the beneficiaries affected by the ITT closures.

We also enthusiastically praise this Committee for the recognition of the importance and the value of science, technology, engineering, and math, STEM, degrees. These degrees provide a high value for the veteran and the country, but often require additional time to complete. We would like to work closely with the SAAs to ensure students entering these fields are protected and that they reflect the national need.

I want to also acknowledge Congressman David McKinley and Congresswoman Dina Titus for recognizing this challenge early and remaining steadfast in pursuing the STEM Extension Act now included in this package as the Edith Rogers Scholarship.

When I first saw the text of this bill I thought, if student veterans sat down to write a bill, it would look like this. This package reflects so many essential solution-oriented provisions that increase access to education, address the inequities of this earned benefit, and look forward to the future well beyond our own generation. The passage of this bill will represent the start of a new era for education for veterans.

Additionally, the staff of the Chairman and the Ranking Member demonstrate their dedication to the cause of veterans in such a

manner that it is humbling to consider them as colleagues and friends.

I would like to acknowledge Jon Clark, Kelsey Baron, Ray Kelly, Cathy Yu, Caroline Ponseti, and Tiffany Haverly. To each of you, you have demonstrated the heartfelt appreciation of millions of veterans and their families.

To Leader McCarthy and Leader Pelosi, as well as their staff, Tiffany Wolfolk and Patty Ross, you also have proven a spirit of bipartisanship and commitment to veterans that will be remembered for many years to come.

Chairman Roe, Ranking Member Walz, America is fortunate to have you at the helm of this esteemed body, two Members of Congress that have demonstrated a model of bipartisanship and collaboration to the country.

Thank you.

[THE PREPARED STATEMENT OF MR. HUBBARD APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you, Mr. Hubbard, for your kind words and your leadership on this issue.

Mr. Kamin, you are recognized now for five minutes.

#### STATEMENT OF MR. JOHN KAMIN

Mr. KAMIN. Chairman Roe, Ranking Member Walz, and distinguished Members of this Committee, on behalf of National Commander Charles E. Schmidt and the two million members of the American Legion, we thank you for your leadership on behalf of servicemembers and veterans.

The last few months were not easy as solutions were proposed to improve the GI Bill. With public disagreements dividing us, many believed that it would be impossible to get anything done this year for veterans' education, yet this Committee made it happen in under three months. This reflects remarkable determination and statesmanship from Chairman Roe and Ranking Member Walz, as well as the broad bipartisanship that rose to the occasion.

As the largest organization of wartime veterans, we appreciate the opportunity to present the American Legion's views on the Harry W. Colmery Veterans Educational Assistance Act. As all of us worked together over the past few months on the future of the GI Bill, we can think of no greater namesake than our past National Commander Harry Colmery.

In 1943, the Committee on World War Veterans was deeply focused on the inevitable issues servicemembers would face whenever the war ended. Many believed that education had no place as a veteran's benefit and others believed the benefit should be limited exclusively to wounded veterans.

Harry Colmery had a different vision. As a World War I veteran, he knew firsthand the challenges of transitioning from war. He saw the potential for a benefit that didn't create dependence, but would foster greater citizenship through economic empowerment; a benefit rooted in the idea that the individual, not the Government, could decide how and where to use it; a benefit that would challenge the status quo that education was the providence of the wealthy and the elite.

Working from Washington's Mayflower Hotel over five months, Colmery handwrote page after page of his vision on the back of hotel stationery. These notes would become the Servicemen's Readjustment Act of 1944.

As we now turn our attention to improving our generation's GI Bill, we proudly proclaim that this bill reaffirms the ideals of Harry Colmery and the American Legion, that investing in veterans' education makes this country greater. This bill does this through 28 distinct sections, most strikingly is making the GI Bill a forever benefit. This has the potential to greatly increase GI Bill usage rates by providing servicemembers the flexibility they need to pursue their educational aspirations.

No matter how widely it is known, not all veterans will utilize the GI Bill with a 15-year cap simply because it doesn't make sense for some of them to use it. If a Marine Sergeant with a Bachelor's degree transitions to civilian life as a Government contractor, it may not make sense for her to immediately use the GI Bill. However, if 15 years later she seeks a different career path, the GI Bill is as valuable to her future as it was as if she had just transitioned from Active duty. This bill makes it possible for veterans to utilize this benefit at the right time and the right place and, more importantly, it takes the benefit out of the Government's hand and gives it to the veteran.

This bill also begins to address a burgeoning issue: unequal education benefits for Reserve and National Guard servicemembers with the advent of 12304(b) orders. While there have been roughly 6,000 activations thus far, make no mistake as to how the Department of Defense intends to utilize this order. To wit, the Department of the Army's OCO budget requested 18,738 man years for 12304(b) orders for fiscal year 2018.

We could have not asked for a better champion on this than a National Guard Sergeant Major and we applaud the Ranking Member for his tenacity on behalf of all Guard and Reservists. This bill not only accomplishes this, but also awards retroactive benefits to all servicemembers issued these orders.

As the Committee affirms its commitment to veterans' education, it is for us to rededicate our efforts to refining the GI Bill for the next generation. We see numerous areas that can still be improved: increasing the state approving agency's funding from 19 million to a rate of 26 million, so SAAs can effectively perform their oversight responsibilities; empowering our servicemembers and veterans to be informed consumers who can make the choices they can on how to use their benefit; and developing a solution that would provide GI Bill resources and start-up capital to small businesses, just as the original GI Bill did.

These improvements may seem small, but the impact cannot be overstated. Just as the original GI Bill was beyond any measurement at the time, the bills that this Committee passes will have an impact beyond our years, not just on our veterans, but on the country as a whole.

As I conclude, I would like to quote the closing remarks of Harry Colmery's testimony to Congress in 1944. "These men will be a potent force for good or evil in the years to come: they can make our country or they can break it, they can restore our democracy or



scrap it, they can promote world order or World War III. The answer lies in leadership. We look to the American Congress to step forward and give some of that leadership. This is your opportunity and you can count on the American Legion to add its experience and influence to assist in guiding and directing the Nation along the path of peaceful progress.”

Chairman Roe, Ranking Member Walz, distinguished Members of this Committee, to evoke Harry Colmery, you can still count on us today.

Thank you very much and I look forward to your questions.

[THE PREPARED STATEMENT OF MR. KAMIN APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you very much, Mr. Kamin.

Ms. Haycock, you are recognized now for five minutes.

#### **STATEMENT OF MS. ASHLYNNE HAYCOCK**

Ms. HAYCOCK. Chairman Roe, Ranking Member Walz, and distinguished Committee Members, thank you for the opportunity to speak on behalf of surviving families of our Nation’s fallen heroes.

I am the surviving daughter of Army SFC Jeffrey Haycock, who died in the line of duty in 2002, and Air Force Veteran Nichole Haycock, who died by suicide in 2011.

In 2010, I was one of the very first recipients of the Marine Gunnery Sergeant John Fry Scholarship, and for that opportunity I am incredibly grateful to this Committee.

I would also like to thank the Committee for several expansions of survivor benefits included in the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016, such as guaranteed in-state tuition for Fry recipients and additional time to utilize the Fry Scholarship for our earliest post-9/11 widows.

TAPS’ main legislative priority over the last several years has been the expansion of the Yellow Ribbon Program to Fry Scholarship recipients. Currently, only those receiving the Post-9/11 GI Bill and those with transferred entitlement are eligible. If the veteran is still alive and transferred their benefits to their dependents, they would be eligible for this expanded benefit, while children and spouses of America’s heroes who died in the line of duty are not. We would like to see this inequity corrected.

This impacts children like Emily McClimans, whose father was an Army Officer killed in action in 2011 when Emily was just 13 years old. Emily is a sophomore at Texas Christian University. The tuition is over \$40,000 per year, but her Fry Scholarship only covers 22,000 of it. That is more than \$18,000 that Emily has to come up with every single year. TCU offers 750 Yellow Ribbon Program scholarships and they only filled 300 of them this year. These are slots that could go to children like Emily to pursue her dreams and allow her to graduate from college debt-free, a dream her father had for her.

TAPS strongly supports Section 108 of H.R. 3218.

TAPS is also advocating for an increase in Chapter 35 education benefits. The current rate is \$1,024 per month and is far inferior to the rates of Post-9/11 and Montgomery GI Bills. The rates have

not been increased with the exception of for cost of living since 2003.

Many of TAPS survivors are not eligible for the Fry Scholarship because the servicemember died before 9/11 or died in veteran or retiree status. This includes children like Shana Pellegrin whose mother, Navy Lieutenant Karen Pellegrin, died in the line of duty just a few months before 9/11, making her ineligible for the Fry Scholarship.

Shana is a rising sophomore at Virginia Tech; she is also here with us this evening. Her father has had to pay a large portion of Shana's college out of pocket, because the \$9,000 a year under Chapter 35 is not enough to cover the cost of attendance. While the extra money per month included in proposed legislation would not cover everything, it would make a huge difference to families like Shana's who are not fortunate enough to be eligible for robust benefits like Fry, even though their service and sacrifice were the same.

TAPS strongly supports Sections 202 and 203 of H.R. 3218.

We are also grateful for the inclusion of a technical change for transferred entitlement in Section 109. Currently, a servicemember or veteran who has transferred their GI Bill can adjust the number of months of eligibility between the different family members, but when they die those months are locked in and the family cannot adjust them as needed. This impacts survivors like Coleen Bowman, whose Army husband died from burn pit exposure in 2013.

Sergeant Major Bowman was medically retired because of terminal cancer, so his children are not Fry eligible, but Sergeant Major Bowman split his GI Bill between his wife and four daughters. Coleen has no intention of ever using her allocated months and would like to give it to her children, but because of current regulations she cannot do this.

This would not allow families to add new transferees, only adjust the number of months amongst themselves, something the servicemember would have been able to do if they were still alive.

TAPS strongly supports Section 109 of H.R. 3218.

TAPS is proud to have worked closely with partner organizations such as Student Veterans of America, the American Legion, and the Veterans of Foreign Wars to raise awareness of the many issues in the Harry W. Colmery Veterans Educational Assistance Act of 2017. TAPS supports the bill in its entirety, but specifically the points that impact survivors.

We would also like to reiterate our support for the removal of the arbitrary 15-year eliminating date. We understand that these programs are expensive and we appreciate that there is a recommendation to fund these changes, as well as the upgrades to the GI Bill.

Our families have already paid the price for these benefits through the loss of their loved ones. The proposed legislation protects and expands survivor benefits, creates new and innovative programs for veterans, and helps sustain the GI Bill for a new generation of servicemembers.

Thank you for this opportunity and I am honored to answer any questions.

[THE PREPARED STATEMENT OF MS. HAYCOCK APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you very much, Ms. Haycock, for your advocacy, and it really struck a nerve with me.

I know in, let's see, 52 years ago a good friend of mine was killed in Vietnam and left four children, and basically our country provided nothing for them. Unbelievable that we provided almost and our lives are worth \$10,000 from what Colonel Cook was talking about in Vietnam.

This was so easy for me to support and I was so passionate because of what happened to that family. And to this day I still mourn him and it affected how his kids grew up, the kind of education they could get.

This is a great addition to this bill and I want to thank you for your advocacy that you do each and every day.

Mr. Walz, I have no questions at this time. On behalf of the Committee, I want to thank you all for being here. But I have no questions, I will yield to you.

Mr. WALZ. No, I don't either. I would just like to thank you.

And the words together I think, again I go back to this, the way we all conduct ourselves in respect of that sacrifice that was given to self-governing, getting this right.

And I thank you too, Mr. Coy and the VA, for carrying out these and being partners in this. We really appreciate the guidance and the expertise as we started to craft these, so thank you for that.

I yield back.

The CHAIRMAN. I thank the gentleman for yielding.

Mr. Bilirakis, you are recognized for five minutes.

Mr. BILIRAKIS. I have no questions, but I want to thank the Ranking Member and the Chairman and the VSOs for working together for our veterans. This is incredible stuff and it is a big deal. It may not get in the newspaper tomorrow morning, but this is why we are in Congress. This is what we should be doing to help our true American heroes.

So I yield back, Mr. Chairman. Thank you.

The CHAIRMAN. I thank the gentleman for yielding.

Mr. Takano, you are recognized for five minutes.

Mr. TAKANO. I will follow suit and ask no questions, even though I have some, but I will refrain until later.

[Laughter.]

The CHAIRMAN. We are putting the bar pretty high tonight.

Mr. Coffman, you are recognized for five minutes.

Mr. COFFMAN. Mr. Chairman, I have no further questions other than to thank the panel for working on this issue and your dedication to it, as well as the Chairman and the Vice Chairman.

I yield back.

The CHAIRMAN. I thank the gentleman for yielding.

Ms. Brownley, you are recognized for five minutes.

Ms. BROWNLEY. I have no further questions either, but too I want to just express my gratitude to really everybody in this room and the leadership on this Committee. It really is an important day and a memorable day. And I am looking forward to the markup and the President's signature and getting this bill going. Thank you very much.

I yield back.

The CHAIRMAN. I thank the gentlelady for yielding.

Dr. Wenstrup, you are recognized for five minutes.

Mr. WENSTRUP. I just have one question, since everyone worked so well together on all of this, do you have any questions of us?

[Laughter.]

Mr. WENSTRUP. If not, I yield back.

The CHAIRMAN. I thank the gentleman for yielding.

Ms. Kuster, you are recognized for five minutes.

Ms. KUSTER. I don't have any questions. Thank you and thank you to all our colleagues. And I just hope we can get the word out that Congress can work together and get something done.

Thank you. I yield back.

The CHAIRMAN. I thank the gentlelady for yielding.

Mrs. Radewagen, you are recognized for five minutes.

Mrs. RADEWAGEN. Thank you, Mr. Chairman. I have no further questions. I just want to thank you all for your great service and God bless America.

I yield back.

The CHAIRMAN. Ms. Esty, you are recognized for five minutes.

Ms. ESTY. Thank you, Mr. Chairman.

No questions, but just saying this is really a model of democracy, which is not just about Congress working, but about the American people, those of you in this room who served and those who served by helping us get it right.

The military is changing, the country is changing, and it was high time for the GI Bill to change in accordance with it.

So congratulations to the Chairman and Ranking Member, everyone on this Committee, but most importantly the people in this room who helped us get it if not completely right, at least better for those who are serving now.

Thanks very much.

The CHAIRMAN. I thank the gentlelady for yielding.

Mr. Poliquin, you are recognized for five minutes.

Mr. POLIQUIN. God bless the United States of America, God bless our veterans. The more knowledge, the more education the better. We owe it to our veterans. God bless you.

Thank you. No questions, sir.

The CHAIRMAN. I thank the gentleman for yielding.

Mr. Correa, you are recognized for five minutes.

Mr. CORREA. No questions, but comments. Again, Mr. Chair and Ranking Member, Members of this Committee, and our veterans, thank you very much. It looks like a great piece of legislation.

I am going to put it to the acid test in the next few weeks. I am going to go back to my district and do a road show with my veterans and see what they have to say. I think they will be happy, but they have the final say.

Thank you very much, sir.

The CHAIRMAN. Thank you, Mr. Correa. Thank you, sir.

Let's see—oh, okay. Yes, Dr. Dunn. Sorry.

Mr. DUNN. Thank you, Mr. Chairman. Let me add my thanks both to you and to Mr. Walz. It is a pleasure and an honor to serve with you on this Committee, and also to serve the men and women who served us so well in uniform.

I will say that it is sort of sad to contemplate in response to your remark about the newspaper, you may not see this in the newspaper tomorrow. We may not, but I think it is actually some of the most important things that we have done in a long time up here.

And thank you all very much and thank you, Mr. Chairman.

I yield back.

The CHAIRMAN. I thank the gentleman for yielding.

General Bergman, you are recognized for five minutes.

Mr. BERGMAN. Well, as the Chairman of the Oversight and Investigation Committee, I hope I don't have a follow-up hearing on this, and I am sure the Ranking Member Kuster feels the same.

Thanks to everyone for all you have done, but I do have a quick question.

Mr. Coy, when you implement the policies in this bill, what do you anticipate the biggest challenges are going to be for the VA. Knowing this is a change, this is a new bill, what are you thinking you are going to run into?

Mr. COY. I think across the board when you talk to the people that work at the VA, this bill is an exciting bill for lots of reasons and many of them have been expressed this evening.

Probably my biggest concern is two words: IT. We have an IT system and much or almost all of these sections require some degree of changes in our IT system, and that is what concerns me the most, sir.

Mr. BERGMAN. Okay. Thank you.

Mr. Hubbard, in your written testimony you discussed the IT needs of the GI Bill and they are overlooked. Could you please address that thought and how it is, you know, best addressed in this bill?

Mr. HUBBARD. Yes. Thank you for the question, Congressman, I appreciate that.

We too support the VA on a daily basis, we work closely with their staff and are intimately familiar with many of the needs required to implement many of these provisions. As such, we had that expressed in there and certainly fully support the VA. We would love to work with this body to ensure that the intent of this legislation is carried out and executed properly and to the full extent of the available provisions provided, and we look forward to that.

Mr. BERGMAN. Thank you.

And, you know, I know it is early in the process here and, you know, we are before even a rollout, but I just implore the VA and all the VSOs and all those involved with the rollout of this that sense of urgency when it comes to actually catching something early on when it is not going right, that sense of urgency brings it to the forefront so we can address the issue on behalf of the veterans.

And with that, sir, I yield back, Mr. Chairman.

The CHAIRMAN. I thank the gentleman for yielding.

Mr. Banks, you are recognized for five minutes.

Mr. BANKS. No questions, Mr. Chairman.

The CHAIRMAN. I thank the gentleman for yielding.

Miss Gonzalez-Colon, you are recognized for five minutes.

Miss GONZALEZ-COLON. Thank you, Mr. Chairman.

I will have no questions, but I would like to command and recognize your leadership and Mr. Walz. It is an honor to serve on this Committee under your leadership.

I think it is a great opportunity to see things happening in just seven months I have been here, so many great legislation, and being here today, amending and having a new bill, a GI Bill.

I can't vote on the floor, as you may know, as a representative from the Island, but this bill, I will be on Wednesday in this markup when I do and can vote, and representative for the million American citizens that do go to war and represent the United States in every branch of our military that do serve proudly. I feel very honored to be an original cosponsor of this bill.

Thank you and I yield back.

The CHAIRMAN. I thank the gentlelady for yielding.

Mr. Rutherford, you are recognized for five minutes.

Mr. RUTHERFORD. I yield back, Mr. Chairman, my time, other than I don't want to miss the opportunity to thank all of our VSOs, everyone in this room. Thank you so much, panel.

And thank you, Mr. Chairman and the Ranking Member and Committee. God bless.

The CHAIRMAN. I thank the gentleman for yielding.

And on behalf of this Committee, I want to thank each and every one of you for your testimony and your incredible hard work, along with the staff, over the past several months. You know, we have had a hiccup or two getting where we are tonight sitting here and Wednesday we are going to mark this up, and hopefully get unanimous consent and on board.

And I can't tell you how much I appreciate personally your effort of all the organizations in this room and sat down around the table with staff and worked out the issues. And it is the way it should work and I can't not thank you enough for that.

I will now yield to Mr. Walz for any closing statements.

Mr. WALZ. I concur.

The CHAIRMAN. I think there are three or four things that are for me absolute terrific. My GI Bill benefit ran out in ten years, this is a lifetime benefit. People having to retain in their lives now for these incredible tech jobs and so forth that are out there to be had right now, high-paying jobs.

I think the Guard and Reserve, that is bothered me since I have been here that we didn't call a Guard and Reservist a veteran and it just bothered me, tremendously bothered me. And I think now doing the right thing for the Guard and Reserve is to me very important.

And I think the Purple Heart recipients, I mean, that goes without saying. I think Americans wouldn't understand why that wouldn't happen and I think once they understand that it is happening, I think they will be very pleased that this Committee and that the VSOs and others have worked towards this means.

And another one for me are the Gold Star families that lose a loved one in service to our great Nation and then find out that we are not treating them the same as others. That was wrong and we have corrected those wrongs in this bill. And I again, once again, I can't thank you enough for the work you have done to make this successful.

And before we close, I ask unanimous consent that the statements be submitted into the hearing record for the following organizations and individuals: Representative David McKinley of West Virginia, Representative Markwayne Mullin of Oklahoma, Representative Tim Ryan of Ohio, Representative Susan Brooks of Indiana, Representative Raúl Labrador of Idaho, the Military Order of the Purple Heart, the National Guard Association of the United States, the Veterans Education Success, Captain Edward H. Hill, Vietnam Veterans of America, High Ground Veterans Advocacy, Iraq and Afghanistan Veterans of America.

Hearing no objection, so ordered.

I now ask unanimous consent that all Members have five legislative days to revise and extend their remarks and include extraneous material.

Hearing no objection, so ordered.

I would like to remind the Members we will hold a Full Committee hearing markup on this legislation, as well as other bills pending before the Committee, 10:00 a.m. on Wednesday of this week.

I thank all Members in attendance tonight. The meeting is adjourned.

[Whereupon, at 8:46 p.m., the Committee was adjourned.]

# A P P E N D I X

## Prepared Statement of Curtis L. Coy

Good evening, Mr. Chairman and Members of the Subcommittee. I am pleased to be here today to provide the views of the Department of Veterans Affairs (VA) on H.R. 3218, the “Harry W. Colmery Veterans Educational Assistance Act of 2017.” Unfortunately, due to the late notice of the hearing and the receipt of the draft bill on July 10, 2017, we are unable to provide complete cost estimates for many sections.

Accompanying me today is James Ruhlman, Assistant Director for Policy and Procedures of the VA Education Service.

### TITLE I - POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM

#### SECTION 101

Section 101 would amend 38 United States Code (U.S.C.) § 3301(1)(B) to count the time that a reservist is ordered to active duty to receive authorized medical care, be medically evaluated for disability, or complete a Department of Defense (DoD) health care study, as active duty for purposes of the Post 9/11 Veterans Educational Assistance Act of 2008. The amendment would be retroactive to immediately after enactment of the Post-9/11 Veterans Educational Assistance Act of 2008, and a reservist could use such entitlement to pursue a course of education on or after August 1, 2018.

VA supports the intent of section 101, regarding the proposed changes to qualifying active duty service under the Post-9/11 GI Bill, subject to the availability of funds. We note, however, that this change to the eligibility criteria would require VA to make modifications to the type of data exchanged between DoD and VA through the VA/DoD Identity Repository and displayed in the Veteran Information System. In addition, new rules would need to be programmed into the Long term Solution system (LTS) in order to calculate eligibility based on service described in new section 3301(1)(B) and to allow for retroactive benefit payments, while limiting awards of educational assistance based on such service to programs pursued on or after August 1, 2018. VA estimates that it would need one year from enactment to complete these changes.

There are no additional full time equivalent employee (FTE) or general operating expense (GOE) costs associated with the proposed legislation.

#### SECTION 102

Section 102 would amend 38 U.S.C. § 3311(b) by consolidating the current amount of qualifying active duty service required after September 10, 2001, for payment of educational assistance at the 50-percent and 60-percent benefit levels under the Post-9/11 Educational Assistance Program. As a result, the current benefit level requiring at least six months but less than twelve months of active-duty service would be eliminated. This means that an individual with aggregate service of at least six months but less than eighteen months of active-duty service (excluding entry and skill training) would qualify at the 60 percent benefit level. Section 102 would be effective on August 1, 2018.

VA supports section 102, subject to the availability of funds. VA estimates that it would require one year from the date of enactment to make modifications to the LTS necessary to implement section 102. We have not, however, fully determined if there would be any costs associated with information technology (IT) changes.

Finally, additional conforming amendments to title 38 U.S.C. would be required based upon the changes made by amending section 3311(b) and 3313(c).

There are no FTE and GOE costs requirements associated with this section.

#### SECTION 103



Section 103 would amend 38 U.S.C. § 3311(b) to expand Post-9/11 GI Bill educational assistance to individuals awarded the Purple Heart for service in the Armed Forces occurring on or after September 11, 2001, at the same rate (100%) as for individuals entitled to Post-9/11 GI Bill educational assistance who served at least 3 years on active duty or who served at least 30 days on active duty and were discharged for a service-connected disability. Section 103 would also allow such Purple Heart recipients to participate in the Yellow Ribbon G.I. Education Enhancement Program. Section 103 would be effective August 1, 2018.

VA supports section 103, subject to the availability of funds. Because VA would need to modify its existing IT system to implement section 103, there would be associated IT costs. Specifically, VA would need to modify the LTS, VA's Post-9/11 GI Bill processing system, to verify eligibility for Purple Heart recipients. VA would also need to make changes to the VA application forms (VA Form 22-1990 and Veterans On-Line Application) to identify Purple Heart recipients. VA suggests a review of other medals, i.e., Medal of Honor, Silver Star, and Service Cross, recipients of which could also merit eligibility at the 100% benefit level as well.

#### **SECTION 104**

Section 104 would provide that a reservist who established eligibility to educational assistance under 10 U.S.C. § 16163(a)(1) before November 25, 2015, and loses eligibility for such assistance under 10 U.S.C. § 16167(b) would be able to elect to have such service credited towards establishing eligibility under 38 U.S.C. § 3313 equal to the number of months of entitlement remaining under chapter 1607 of title 10 U.S.C.

VA supports the intent of section 104 because it would provide educational assistance benefits for individuals who abruptly lost eligibility to the Reserve Educational Assistance Program on November 25, 2015. However, VA has the following concerns regarding section 104. First, section 104(c) refers to 38 U.S.C. § 3311(b)(6) as amended by section 104(a); however, section 104(a) does not contain an amendment to section 3311(b)(6). We believe that section 104(c) should refer to section 102(a) of the bill, and we recommend that section 104(c) be amended accordingly. Second, we interpret section 104(c) to mean that all individuals establishing eligibility under this provision would be eligible for Post-9/11 GI Bill benefits at the 60-percent benefit level, regardless of the amount of aggregate service. However, section 104 is silent as to how additional active-duty service not credited toward chapter 1607 would impact the benefit level of an individual who establishes eligibility to the Post-9/11 GI Bill under section 104. We would be happy to provide further technical assistance as necessary to accomplish the desired intent.

There are no additional FTE or GOE cost requirements associated with this section.

#### **SECTION 105**

Section 105 would amend § 3313(c)(1)(B)(i)(I) of title 38 to provide for the calculation of the monthly housing allowance (MHA) payable under the Post-9/11 GI Bill based on the location of the campus where the individual physically participates in a majority of classes, rather than the location of the institution of higher learning (IHL) at which the individual is enrolled. Section 105 would apply to the initial enrollment in a program of education on or after August 1, 2018.

VA supports section 105 because it would make MHA payments commensurate with the cost of housing in the location where students actually attend classes. In particular, section 105 would address two situations in which the current MHA is likely not aligned with the cost of living where an individual actually attends classes: (1) courses that are held at a branch or satellite location of an IHL rather than at the IHL's main campus; and (2) online degree programs that require some in-residence courses. We believe that section 105 would also remove the issue of the amount of the MHA as a factor in choosing a school and instead allow students to focus on the educational program when choosing an IHL. VA would need to modify LTS in order to calculate MHA based on whether the initial enrollment in a program of education occurred on or after August 1, 2018.

VA is unable to determine if any costs or savings would result from section 105 because of a lack of data on trainees who attend school at a branch location with a zip code that is different than the main campus. Therefore, the total increase or decrease in MHA payments cannot be determined. This legislation would ensure that MHA payments are relative to the trainees' actual training location and cost of living, not the main campus' location. Additionally, this bill would prevent trainees from seeking an IHL that would yield a higher MHA payment at a main campus when compared to a branch campus. If trainees no longer seek IHLs based on higher MHA payments, this may result in a savings. However without data, VA cannot

determine if this bill would result in any costs or savings. There are no additional FTE or GOE cost requirements associated with this section.

#### **SECTION 106**

Section 106 would amend 38 U.S.C. §§ 3315(c) and 3315A to allow for the proration of entitlement charges for licensing and certification examinations and national tests under the Post-9/11 GI Bill based on the actual amount of the fee charged for the test. Section 106 would also add educational assistance for chapter-33 beneficiaries for a “national test that evaluates prior learning and knowledge and provides an opportunity for course credit at an institution of higher learning as so described.” The amendments made by this section would apply to a test taken on or after August 1, 2018.

VA supports section 106 because it would benefit Post-9/11 GI Bill beneficiaries by reducing the negative impact of test reimbursement on their remaining benefit entitlement and increasing the months of training available for the beneficiaries, thus expanding educational opportunities. Under current sections 3315 and 3315A, an individual is charged entitlement for the reimbursement of fees associated with a licensing or certification exam, or a national test, in whole months. Thus, VA charges an individual 1 month of entitlement for each \$1,832.96 reimbursed for the academic year beginning on August 1, 2016, rounded to the nearest whole month, regardless of the cost of the test. However, VA suggests that the parenthetical “(rounded to the nearest whole month)” be struck from sections 3315(c) and 3315A(c) as the phrase would now be superfluous.

As noted in VA’s Fiscal Year (FY) 2017 legislative proposal, the Department believes the law should be amended to charge entitlement for reimbursement of VA approved exams at a prorated number of days of entitlement based on the ratio of the cost of the test to the statutory amount.

There are no additional FTE or GOE costs associated with this section.

#### **SECTION 107**

Section 107 would add a new section 3699 to title 38 U.S.C. which would provide that, if VA finds that an individual was forced to discontinue pursuit of a course or courses under the Post-9/11 GI Bill as a result of closure of an institution or disapproval of a course of study and did not receive credit or lost training time toward completion of the program being pursued at the time of closure, any payment of educational assistance to the individual for pursuit of the course or courses would not be charged against the individual’s entitlement to benefits under the Post-9/11 GI Bill or counted against the aggregate period for which 38 U.S.C. § 3695 limits the individual’s receipt of educational assistance. The period for which educational assistance would not be charged against entitlement or counted toward the aggregate period under section 3695 would not exceed the aggregate of the portion of the period of enrollment from which the individual failed to receive credit or lost training time, and the period by which a monthly stipend is extended under section 3680(a)(2)(B) of title 38. VA may treat a course of education that is disapproved under this chapter as being approved, if VA determines, on a case-by-case basis, that the course was disapproved for one of the reasons stated above and continuing the course is in the best interest of the individual.

Section 107 would also amend section 3680(a) of title 38 U.S.C. to authorize VA to prescribe regulations to continue awarding a monthly housing allowance stipend under the Post-9/11 GI Bill following a permanent school closure or the disapproval of a course of study as described in section 3699(b)(1)(B). The housing allowance would be payable until the earlier of the date of the end of the term, quarter, or semester during which the school closure or disapproval occurred; or 120 days after the date of the school closure or disapproval. The proposed legislation would take effect 90 days after enactment and apply to courses and programs of education discontinued after January 1, 2015.

VA supports section 107. The closure of educational institutions while GI Bill beneficiaries are actively pursuing an approved program of education or training negatively impacts student Veterans and eligible dependents. While VA can pay benefits for the term, quarter, or semester up to the time of the school’s closure, the student is charged entitlement for the period prior to the closure for which benefits are received, even if the student does not earn any credit toward completion of a program. In some instances, this could result in a beneficiary exhausting chapter-33 entitlement prior to being able to complete his/her program at another institution. Allowing VA to restore entitlement and to continue to pay MHAs in the event of a school closure would be in the best interests of Veterans and would help ensure that they are able to successfully complete their educational goals.

VA sees no need for the provision that would allow for the restoration of entitlement in cases involving course disapproval. Current VA policies provide that whenever a program loses its approval, any student currently enrolled in the program is allowed to complete the current term because, unlike in the case of a school closure, the students may still pursue the program. Therefore, there are not any students who do not receive credit, or lose training time, toward completion of the program as a direct result of the disapproval. Consequently, inclusion of disapproved courses in section 107 is superfluous.

There are no additional FTE or GOE costs associated with this section.

#### **SECTION 108**

Section 108 would amend 38 U.S.C. § 3317(a) to provide that recipients of the Marine Gunnery Sergeant John David Fry Scholarship would be covered under the Yellow Ribbon GI Education Enhancement Program. The Yellow Ribbon program is currently available to Veterans and most transfer of entitlement recipients receiving Post-9/11 GI Bill benefits at the 100% benefit level attending institutions of higher learning. The program provides payment for up to half of the tuition and fee charges that are not covered by the Post-9/11 GI Bill, such as charges that exceed an academic year cap or out-of-state charges, if the institution enters into an agreement with VA to pay or waive an equal amount of the charges that exceed Post-9/11 GI Bill coverage. This section would be effective on August 1, 2018.

VA supports the intent of section 108, subject to the availability of funds. Also, VA estimates that implementation of section 108 would require one year from the date of enactment to make needed modifications to the Benefits Delivery Network (BDN), the VA-Online Certification of Enrollment (VA-ONCE), and LTS.

There are no additional FTE or GOE costs associated with this section.

#### **SECTION 109**

Section 109 would amend 38 U.S.C. § 3319 to authorize transfer of unused Post-9/11 GI Education Assistance benefits to a different eligible dependent upon the death of the originally designated dependent if the dependent dies before using such entitlement. Also, if an individual transferring entitlement under section 3319 dies before the dependent to whom entitlement is transferred has used all of such entitlement, the dependent would be able to transfer such entitlement to another eligible dependent. Section 109 would apply to deaths on or after August 1, 2009, and the entitlement could be used on or after August 1, 2018.

VA defers to DoD regarding the amendment providing for designation of a dependent upon the death of the originally designated dependent. Currently, an individual cannot designate a new dependent to receive a transfer of entitlement to Post-9/11 Education Assistance after separating from the Armed Forces. However, we interpret section 109 to provide that if a Servicemember or Veteran does not transfer the maximum entitlement to a dependent, the amount that was not transferred would be forfeited.

VA supports allowing an eligible dependent to transfer entitlement to another eligible dependent if the individual who transferred entitlement dies before the designated dependent uses all of his or her entitlement. Currently, if an individual who has transferred entitlement subsequently dies, no additional changes to the transferred entitlement are authorized.

There are no additional FTE or GOE costs associated with this section.

#### **SECTION 110**

Section 110 would add a new section, 3320 to title 38 U.S.C. to create the Edith Nourse Rogers STEM Scholarship. The scholarship would provide up to 9 months of additional Post-9/11 GI Bill benefits to an individual who: (1) has used all of his or her Post-9/11 GI Bill educational assistance or who will, based on the individual's rate of usage, use all such assistance within 180 days of application for benefits; and (2) is enrolled in a program of education leading to a post-secondary degree that requires more than the standard 128 semester (or 192 quarter) credit hours for completion in biological or biomedical science; physical science; science technologies or technicians; computer and information science and support services; mathematics or statistics; engineering; engineering technologies or an engineering-related field; a health profession or related program; or a medical residency program, and has completed at least 60 standard semester (or 90 quarter) credit hours in a field listed above, or has earned a post-secondary degree in one of these fields and is enrolled in a program of education leading to a teaching certification. Priority would be given to individuals who require the most credit hours and to individuals who are entitled to 100 percent of Post-9/11 GI Bill benefits. Each eligible individual would be entitled to a one time lump-sum payment that is the lesser of the amount available

under 38 U.S.C. § 3313 or \$30,000. These additional benefits would not be transferrable to a dependent. Individuals who receive this scholarship would also be eligible for the Yellow Ribbon G.I. Education Enhancement Program. However, VA would not be authorized to issue any Yellow Ribbon payments for these individuals. Additionally, the total amount of benefits paid to all eligible individuals may not exceed \$100,000,000 during any fiscal year. Section 110 would be effective on August 1, 2018.

VA supports the intent of section 110 subject to the availability of funds. However, VA has concerns about the eligibility criteria for the additional educational assistance. As currently drafted, individuals who have completed at least 60 standard semester (or 90 quarter) credit hours in a science, technology, engineering, and mathematics (STEM) program of education at the point at which they exhaust the 36 months of the chapter-33 entitlement would be eligible for an additional 9 months of educational assistance. We do not believe that providing additional benefits under these circumstances would serve the purpose of section 110, which is designed for programs that require more than the standard 128 semester (or 192 quarter) credit hours for completion. The additional 9 months of educational assistance would not enable individuals who previously completed 60 standard semester hours of STEM classes to complete a STEM program.

In addition, it would be difficult for VA to gauge whether an individual would use all of his or her entitlement within 180 days from date of application for the scholarship. Several factors influence entitlement usage such as the length of the enrollment period and an individual's decision to reduce the number of classes in which the individual is enrolled or to withdraw from school for a period of time.

To implement section 110, VA would need to make modifications to VA-ONCE and LTS in order to verify eligibility and allow for the award of additional months of educational assistance. VA estimates that it would require 1 year from the date of enactment to make the IT changes necessary to implement section 110.

There are no additional FTE or GOE costs associated with this section.

#### **SECTION 111**

Section 111 would amend 38 U.S.C. § 3321(a) and (b) by eliminating the time limitation for use of Post-9/11 GI benefits by individuals, including children of deceased Servicemembers, who first become entitled to benefits on or after January 1, 2018. Individuals who first become entitled to Post-9/11 GI Bill educational assistance prior to January 1, 2018, would remain subject to the current 15-year time limitation for using their Post-9/11 GI Bill benefits.

VA supports section 111, subject to the availability of funds, because it would ensure that certain beneficiaries have an expanded opportunity to use all their Post-9/11 GI Bill educational assistance. However, section 111 would require VA to administer a lifelong program for millions of Veterans and dependents. As a result, additional staffing and IT resources would be needed because VA would have to make modifications to the LTS. Also, section 111 could impact VA's ability to predict future workload trends and resource requirements.

#### **SECTION 112**

Section 112 would add a new subsection (j) to 38 U.S.C. § 3313 to provide for payment of MHA on a pro rata basis for any period in which a reservist pursuing a program of education is not performing active duty. More specifically, VA would award housing allowance benefits for each day of the month an individual is not serving on active duty. Currently, monthly housing allowance benefits for an otherwise eligible individual are terminated at the end of the month that the individual enters onto active duty service. When discharged, VA commences payment of the monthly housing allowance for an otherwise eligible individual at the beginning of the following month. This amendment would be applicable to a quarter, semester or term commencing on or after August 1, 2018.

VA supports section 112 as it would be equitable to prorate MHA payments for any period in which a reservist or individual is not performing active duty. We note, however, that section 112 would result in a decrease in the amount of MHA for the month in which a reservist is ordered to active duty and in an increase in the MHA for the month in which a reservist is released from active duty. Consequently, the amount of MHA that each reservist receives would depend upon the dates on which the reservist entered and was released from active duty. We note as well that new section 3313(j) would not apply to other persons on "active duty" as defined in 38 U.S.C. § 3301(1)(A) and (C).

We note that due to the proposed definition of "an individual" as specified in the bill, and current VA regulations, members of the regular components of the Armed Forces and members of the Army National Guard or Air National Guard serving on

active duty would not be impacted by the amendment (i.e., changes to housing allowance benefits due to changes in duty status would continue to be effective at the beginning of the month following the change in duty status based on VA regulations). VA would have to modify the LTS to calculate the prorated MHA and manual award calculations and payment authorizations would be required until the LTS is modified.

#### **SECTION 113**

Section 113(a) would require VA to make changes and improvements to the Veterans Benefits Administration (VBA) IT systems to ensure that, to the maximum extent practicable, all original and supplemental claims for educational assistance under chapter 33 are adjudicated electronically and that rules-based processing is used to make decisions on such claims with little human intervention.

The proposed section would require VA to submit a plan to implement the changes and improvements to VBA's IT systems to Congress no later than 180 days after enactment. VA would also be required to submit a report to Congress on the implementation of the changes and improvements one year after enactment.

Finally, this section would authorize an appropriation of \$30,000,000 to VA to carry out the requirements of this section during fiscal years 2018 and FY 2019. VA concurs that there is room to improve the automation of the processing of education benefits claims. VBA is currently working with the Office of Information and Technology to assess IT capabilities. While VA is currently prioritizing replacement of legacy systems due to the risk of maintaining these systems, VA is also considering additional LTS functionality needed to provide faster and more accurate claims processing for those who apply for Post-9/11 GI Bill benefits and submit supplemental claims. The current average processing time for eligibility claims, which are not automated and are very labor-intensive, is 26 days. During calendar year 2017, an average of over 5,200 supplemental (reenrollment) claims were processed automatically each day using LTS, without human intervention. The remainder of the supplemental claims are processed using partial automation.

VA would be able to provide a plan of implementation for the required IT changes within 180 days after enactment; however, VA would require at least 24 months from the date of enactment in order to report on those changes due to the time needed for the procurement process, systems development, testing, and deployment.

No benefit costs are associated with section 113. There are no additional FTE or GOE costs associated with this section.

#### **SECTION 114**

Section 114 would require the Secretary of Veterans Affairs to carry out a pilot program for 5 years under which eligible Veterans who are entitled to educational assistance would be able to enroll in high technology programs of education. The term "high technology program of education" would be defined as a program of education that is offered by an entity other than an IHL, does not lead to a degree, and provides instruction in computer programming, computer software, media application, data processing, or information sciences. Within 180 days after August 1, 2018, VA would be required to seek to enter into contracts with multiple qualified providers of such programs. Under these contracts, VA would agree to pay the provider 25 percent of the cost of providing the program of education upon enrollment of an eligible Veteran; 25 percent of the cost upon completion of the program by the Veteran; and 50 percent of the cost upon the employment of the Veteran in the field of study of the program following completion of the program. A qualified provider would be defined as a provider of a high technology program that has been operational for at least 2 years; has successfully provided the high technology program for at least one year; and meets the approval criteria developed by VA. VA would be required to give preference to a qualified provider that offers tuition reimbursement for students who complete a program of education offered by the provider and do not find full-time meaningful employment in the field of study of the program within the 180-days after completing the program. Each Veteran enrolled in a high technology program of education under the pilot program on a full-time basis would receive a monthly housing stipend as follows: in the case of a Veteran pursuing resident training, the monthly amount of the basic allowance for housing payable under section 403 of title 37 U.S.C. for a member with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the zip code area in which is located the institution at which the individual is enrolled; or in the case of a Veteran pursuing a program of education through distance learning, a monthly amount equal to 50 percent of the amount payable to a Veteran enrolled full-time pursuing resident training. This bill would require VA to submit to Congress a report on the pilot program not later than one year after the date of

enactment and annually thereafter. The bill would authorize an appropriation of \$15 million for each fiscal year during which the pilot program operates. The authority to carry out the pilot program would terminate 5 years after the date on which VA first enters into a contract under this bill.

VA has significant concerns regarding the implementation and administration of the pilot program. First, section 114 would apply to all Veterans entitled to assistance under any VA education program. However, it would also require payment of the Post-9/11 GI Bill MHA, which is a marked departure from the rates currently payable under programs other than the Post-9/11 GI Bill. VA recommends that section 114 apply only to covered individuals under the Post 9/11 GI Bill. Second, section 114 would require VA to manage contracts and pay providers that are not IHLs. Given the scope of the pilot program, VA would have to hire additional FTEs to manage the program. Finally, VA estimates that it would require 12 to 18 months from the date of enactment to make the IT system changes necessary to implement section 114 and the acquisition timeline for \$15 million in contracts.

Section 114 does not specify whether the mandatory Readjustment Benefits account, discretionary VBA GOE account, or a mixture of both would be used to fund the pilot program. However, direct costs of the pilot, including payments for contractors and housing allowance, are estimated to be \$15 million in 2018 and \$75 million over 5 years.

## **TITLE II - OTHER EDUCATIONAL ASSISTANCE PROGRAMS**

### **SECTION 201**

Section 201 would amend 38 U.S.C. § 3485(a)(4) by removing the expiration date of June 30, 2022, for work-study allowances for Veterans pursuing VA programs of rehabilitation, education, or training who perform certain “qualifying work-study activity,” which includes outreach services for a State approving agency (SAA), providing hospital and domiciliary care and medical treatment to Veterans in a State home, or performing an activity relating to the administration of a national cemetery or a state Veterans’ cemetery.

VA supports section 201 because it would permanently authorize work-study allowances for individuals who are performing work-study activities that involve providing services to or on behalf of Servicemembers and Veterans.

Benefit costs are estimated to be \$0 in FY 2018, \$277,000 over 5 years, and \$6.6 million over 10 years. There are no additional FTE or GOE costs associated with this section.

### **SECTION 202**

Section 202 would amend 38 U.S.C. § 3511(a)(1) to provide educational assistance under the Survivors’ and Dependents’ Educational Assistance (DEA) program for 36 months for individuals who first enroll in programs of education using such benefits on or after August 1, 2018. Individuals who first enrolled in a program of education prior to August 1, 2018, would still qualify for a maximum of 45 months of entitlement.

VA supports section 202 as this would bring the amount of entitlement under the DEA program in line with the maximum number of months of entitlement under all other VA educational assistance programs. VA would need to make modifications to the BDN in order to implement section 202.

There are no additional FTE or GOE costs associated with this section.

### **SECTION 203**

Section 203 would increase the amounts of educational assistance payable for pursuit of institutional courses under the DEA program. An eligible person would be entitled to a monthly allowance of \$1,224 for full-time coursework, \$967 for 3-quarter time, and \$710 for half-time coursework. The increases would be effective August 1, 2018.

VA supports section 203, subject to the availability the funds, because it would provide additional funding for individuals currently utilizing the benefit for pursuit of these types of programs. These rates were last increased in 2003 and have only been increased through an annual cost of living allowance in subsequent years.

There are no additional FTE or GOE costs associated with this section.

## **TITLE III - ADMINISTRATION OF EDUCATIONAL ASSISTANCE PROGRAMS**

### **SECTION 301**

Section 301 would amend 38 U.S.C. § 3674(a) to provide that reasonable and necessary salary and travel expenses of SAA employees and local agencies that VA has agreed to pay would be payable out of appropriated amounts as well as from amounts available for payment of readjustment expenses. Section 301 would authorize \$3 million in appropriated funds per fiscal year, and the maximum total amount available under section 3674 for any fiscal year would be increased from \$19 million to \$21 million. Beginning in FY 2019, the maximum total amount available for these expenses would increase by the same percentage as the annual increase in the benefit amounts payable under title II of the Social Security Act.

VA supports section 301 as it would provide additional Federal funding in support of SAA duties. The current budgetary allocation of \$19 million, unchanged since 2007, has not kept up with the inflationary pressures experienced by state governments. SAAs must have the necessary funding to maintain their critical mission. VA believes the proposed increase in the funding level and the annual appropriation would prove sufficient to cover both inflationary pressures and the SAA's expanded workload.

There are no additional FTE or GOE costs associated with this section. We believe, however, that the language in new section 3674(a)(4) and (a)(5) requires further clarification. On the one hand, new section 3674(a)(4) would state authorize appropriations of \$3 million "[i]n addition to" the \$21 million provided for in new section 3674(a)(5). On the other hand, section 3674(a)(5) would state that the "total amount made available under this section for any fiscal year shall be \$21 million." It is unclear therefore whether appropriated funds for SAA funding would be \$21 million plus the \$3 million authorized in annual appropriations under section 3674(a)(4) or whether only \$21 million would be available.

#### **SECTION 302**

Section 302 of this bill would amend 38 U.S.C. § 3680A(a)(4) to authorize the use of Post-9/11 educational assistance to pursue accredited independent study programs at the following educational institutions that are not IHLs: area career and technical education schools as defined in 20 U.S.C. § 2302(3) that provide post-secondary level education and postsecondary vocational institutions as defined in 20 U.S.C. § 1002(c). Currently, under section 3680A(a)(4), the Secretary may only approve enrollment in an "accredited independent study program (including open circuit television) leading (A) to a standard college degree, or (B) to a certificate that reflects educational attainment offered by an institution of higher learning." As such, VA is not authorized to pay educational assistance for independent study courses at an institution that is not considered to be an IHL.

VA supports section 302, subject to the availability of funds. This section would expand VA's approval authority to pay Post-9/11 GI Bill benefits for enrollment in accredited independent study certificate programs at educational institutions that are not IHLs but are accredited by an accreditor recognized by the Secretary of Education and at career and technical schools that lead to industry-recognized credentials and certificates for employment. VA understands and appreciates the importance of career and technical education courses and the growth in the utilization of online and other 21st century training modalities in the delivery of instruction for both degree and non-degree programs. As such, expanding the approval authority for certain independent study programs would be in the best interests of VA education beneficiaries.

We note that, because section 302 would amend 38 U.S.C. § 3680A, the expansion of benefits would not be limited to Post-9/11 GI Bill benefits. If the intent of section 302 is to limit this expansion to chapter 33 beneficiaries, the provision should be codified in chapter 33 or the bill should be revised to incorporate this limitation.

There are no FTE and GOE costs requirements associated with this section.

#### **SECTION 303**

Section 303 would amend 38 U.S.C. § 3698(c)(1)(C) to require VA to improve outreach and transparency to Veterans and Servicemembers by providing information on whether an IHL administers a priority enrollment system that allows certain student Veterans to enroll in courses earlier than other students.

VA supports section 303. VA's GI Bill Comparison Tool currently enables prospective students to compare educational institutions using key measures of affordability and value through access to school performance information and consumer protection information. Providing information about priority enrollment for Veterans would further help Veterans become informed post-secondary education consumers. VA would need to make modifications to the GI Bill Comparison Tool to include information on priority enrollments. VA estimates that it would need one year from enactment to make these changes.

**SECTION 304**

Section 304 would amend 38 U.S.C. § 3684(c) to revise requirements governing reporting fees payable to educational institutions and joint apprenticeship training committees. Section 304 would increase the annual fee to \$16 for each eligible individual enrolled in VA's education and vocational rehabilitation and employment programs. Section 304 would prohibit an educational institution or a sponsor of a program of apprenticeship with 100 or more enrollees from using reporting fees from VA for or merging such fees with the amounts available for the general fund of the educational institution or sponsor of a program of apprenticeship. This section would be effective on August 1, 2018.

VA supports section 304 because it would prohibit schools and sponsors of apprenticeship programs from using reporting fees for, or merging such fees with, their general funds. Educational institutions and sponsors of apprenticeship programs are required to use reporting fees solely for making certifications or otherwise supporting programs for Veterans, and this would ensure that the reporting fees are used solely for those purposes.

There are no additional FTE or GOE costs associated with this section.

**SECTION 305**

Section 305 would authorize VA, in consultation with the SAAs, to provide training requirements for school certifying officials employed by covered educational institutions that offer courses of education approved under chapter 36 of title 38 U.S.C. If an educational institution does not ensure that a school certifying official meets the training requirements, VA may disapprove any course of education offered by the educational institution. A "covered educational institution" would refer to an educational institution that has enrolled 20 or more individuals using VA educational assistance, and a "school certifying official" would be defined as an employee of an educational institution with primary responsibility for certifying Veteran enrollment at the educational institution. This section would be effective on August 1, 2018.

VA supports section 305. VA currently provides guidance and training opportunities for school certifying officials via webinars, the School Certifying Official Handbook, and on the GI Bill website, but does not have the authority to require school certifying officials to complete this training or to disapprove educational programs if the training is not completed. Section 305 would provide VA with the authority to require school certifying officials to meet certain training requirements as determined by VA. VA suggests that the proposed requirements be codified in chapter 36 of title 38 U.S.C.

No benefit costs are associated with this section. There are no additional FTE or GOE costs associated with this section.

**SECTION 306**

Section 306 of the bill would amend 38 U.S.C. § 3692(c) to extend the authorization for the Veterans' Advisory Committee on Education (VACOE) through December 31, 2022. VACOE provides advice to the Secretary on the administration of education and training programs for Veterans and Servicemembers, members of the National Guard and Reserve Components, and dependents of Veterans under chapters 30, 32, 33, and 35 of title 38 U.S.C. and chapter 1606 of title 10, United States Code.

VA supports section 306. If authorization for the VACOE is extended, the Secretary would be able to continue to receive recommendations and seek advice from VACOE in order to enhance VA's educational assistance programs.

No benefit costs are associated with this section. GOE costs for the first year are expected to be \$51,000 and include oversight, member operations, travel, and other fees for 10 members of the VACOE. 5 year costs are estimated to be \$255,000.

**SECTION 307**

Section 307 would amend chapter 36 of title 38 U.S.C. to add a new section, 3697B, titled "On-campus educational and vocational counseling." New 38 U.S.C. 3697B would: (1) require VA to provide educational and vocational counseling services for individuals described in 38 U.S.C. 3697A at locations on IHL campuses as selected by VA; (2) provide criteria for the selection of IHLs to participate in these services; and (3) require that no later than 180 days after enactment, and each year thereafter, VA will submit a report to the Congress regarding the average ratio of counselors providing these services to individuals who receive these services at each location, a description of the services provided, and recommendations for improving the provision of these services.



VA supports the objectives of providing eligible participants with quality, readily available counseling services. However, we believe that section 307 would duplicate the VetSuccess on Campus (VSOC) program, which VA already administers under the Secretary's authority in 38 U.S.C. §§ 3115 and 3116. VSOC aims to help Veterans, Servicemembers, and their qualified dependents succeed and thrive through a coordinated delivery of on-campus benefits assistance and counseling, leading to completion of their education and preparing them to enter the labor market in viable careers.

VA, however, remains concerned that the VSOC program is not separately funded and continues to leverage existing Vocational Rehabilitation and Employment counselors to fill VSOC positions. In addition, VA does not believe that reporting on the ratio of individuals served to counselors would accurately reflect the amount of services provided because counselors often have multiple contacts with an individual and handle multiple issues for the individual. We believe that it would be more accurate to report on the number of contacts in which services were provided by a counselor.

#### **SECTION 308**

Section 308 would add a new section 3699A to title 38 U.S.C. that would require VA to make available to educational institutions offering courses of education that have been approved for educational assistance to which a Veteran or individual is entitled information about the amount of educational assistance to which a Veteran or individual is entitled. This information would be provided to the educational institution through a secure IT system accessible by the educational institution and would be updated regularly to reflect any amounts used by the Veteran or other individual. A Veteran or other individual pursuing a course of education may elect not to provide the information to an educational institution in a manner prescribed by VA. This section would be effective August 1, 2018.

VA supports the intent of section 308. However, section 308 would present implementation challenges for VA. Currently, VA provides the amount of a Veteran's entitlement (original and remaining) and other information such as the delimiting date for educational assistance to the educational institution in which the individual is enrolled through VA-ONCE. This information is available for individuals training under chapter 30 of title 38 U.S.C. and chapters 1606 and 1607 of title 10 U.S.C. after VA processes an award for education benefits. This functionality is not currently available for Veterans or other individuals training under chapters 32, 33, or 35 of title 38 U.S.C.; therefore, VA would need to make programming changes to VA-ONCE in order to make this information available for these individuals as well, and also ensure that the information is not provided to educational institutions for those individuals who make an election not to provide information. We note in this regard that there are very few individuals who remain eligible for chapter 32 benefits.

No benefit costs are associated with this section. There are no additional FTE or GOE costs associated with this section.

#### **SECTION 309**

Section 309 would amend 38 U.S.C. § 3684(a) to require educational institutions to treat a course that begins 7 or fewer days before or after the first day of the academic term as if it began on the first day of the academic term for purposes of reporting enrollment under 3684.

VA understands that section 309 would eliminate the separate reporting requirement for courses that begin seven or fewer days before the first day of an academic term. We note however that VA policy guidance currently does not require schools to separately certify classes that begin within 7 calendar days after the start of the term, quarter, or semester. Nonetheless, it should be noted that the amended section 3684(a) would not change the period(s) for which VA educational assistance can be paid, which are codified in 38 U.S.C. § 3680(a) and in the various education benefit chapters. As a result, the information reported under the amended section 3684(a) would be inconsistent with the periods for which VA can award educational assistance.

### **TITLE IV - RESERVE COMPONENT BENEFITS**

#### **SECTION 401**

Section 401 would amend 38 U.S.C. § 3301(1)(B), to include, in the case of members of the reserve components of the Armed Forces, service on active duty under a call or order to active duty under 10 U.S.C. §§ 12304a and 12304b as service constituting active duty for purposes of Post-9/11 GI Bill benefits. Section 401 would

apply to such service in the Armed Forces occurring on or after the after the enactment of the Post- 9/11 Veterans Educational Assistance Act of 2008, and entitlement to such benefits could be used to pursue a course of education beginning on or after August 1, 2018.

VA supports section 401 of the bill, subject to the availability of funds. Under current law, 2 reserve component (RC) members who are serving side-by-side on active duty may not receive similar benefits under the Post-9/11 GI Bill. The active duty time of an RC member who volunteers for active duty under 10 U.S.C. § 12301(d) is counted towards the aggregate time required to establish Post-9/11 GI Bill eligibility, while the active duty time of an RC member who was involuntarily activated under 10 U.S.C. §§ 12304a or 12304b for similar duty does not count toward establishing Post-9/11 GI Bill eligibility. Section 401 would allow RC members who are involuntarily activated under 10 U.S.C. §§ 12304a and 12304b to receive the same benefits as those RC members who have volunteered to perform duty under 10 U.S.C. § 12301(d).

The LTS would need to be programmed in order to calculate eligibility based on service under 10 U.S.C. §§ 12304a and 12304b and to limit awards of educational assistance based on such service to programs pursued on or after August 1, 2018.

#### **SECTION 402**

Section 402 would amend 38 U.S.C. § 3103(f) to extend the eligibility period for participation in a vocational rehabilitation program for RC members who are ordered to active duty under 10 U.S.C. §§ 12304a and 12304b by the length of time the RC members serve on active duty plus 4 months.

VA supports section 402. Currently, 38 U.S.C. § 3103(f) provides for an extension of the eligibility period for vocational rehabilitation and employment benefits for reservists who are ordered to active duty under certain provisions of title 10 U.S.C. Section 402 would provide the same extended eligibility period for reservists who are prevented from participating in a vocational rehabilitation program during their period of eligibility because they are ordered to active duty to provide assistance in response to a major disaster or emergency or to augment the active forces for preplanned missions in support of combatant commands.

### **TITLE V - OTHER MATTERS**

#### **SECTION 501**

Section 501 would make any modification of the amount of the basic allowance for housing (BAH) inside the United States applicable to benefits administered by VA. Section 501 would take effect on January 1, 2018, and apply to individuals who first use their entitlement on or after that date.

VA supports section 501, subject to Congress finding appropriate offsets. This legislation would align the maximum MHA rate for full-time training under the Post-9/11 GI Bill with DoD's BAH rate for an E-5 with dependents. The MHA and BAH rates have been out of alignment for a few years, which has led to confusion on the part of Post-9/11 GI Bill beneficiaries. The LTS would need to be programmed in order to calculate MHA based on whether the individual first used entitlement on or after January 1, 2018, or prior to that date.

There are no FTE and GOE costs requirements associated with this section, but would incur some IT costs.

This concludes our statement, Mr. Chairman. We would be happy now to entertain any questions you or the other members of the Subcommittee may have.

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#### **Prepared Statement of Patrick D. Murray**

Chairman Roe, Ranking Member Walz, and distinguished members of the Committee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, thank you for the opportunity to present the VFW's thoughts on the pending GI Bill legislation.

#### **Section 101**

The VFW supports this section which would allow for National Guardsmen and Reservists ordered to active duty for medical treatment to receive the same educational benefits as their active duty counterparts. There are service members who were injured during their military service and who are convalescing at military treatment facilities throughout the country, but are not accruing the same educational benefits as other service members currently on active duty. Their time on

active duty should be considered no different than any others and this legislation will make that possible.

This bill will rectify the mistake made by the Department of Defense (DOD) in putting National Guardsmen and Reservists on 12301(h) orders which exempt them from benefits in order to save money. DOD should not have used this cost cutting measure because it is detrimental to our troops' morale and welfare. The VFW endorses any legislation like this that will ensure full benefits for our troops while they are away from their civilian lives on active duty.

#### **Section 102**

The VFW agrees with the intent of this section which would increase the rates of educational benefits provided to National Guardsmen and Reservists. Educating our veteran population is one of the VFW's highest priorities, and we are happy this committee values education as a priority as well.

#### **Section 103**

The VFW supports this section increasing the rate of educational benefits for recipients of the Purple Heart. For the past decade and a half, our country has been sending National Guardsmen and Reservists into harm's way at an unprecedented level, and some of them have been wounded in the line of duty. Nearly 3,000 of these Citizen Soldiers have bled for this country, but have not accrued enough active duty time to attain full GI Bill benefits.

The VFW thinks that service men and women who have bled for this country should be compensated for their injuries by granting them full education benefits. This is the least we as a country can do for those who put their bodies on the line for our freedoms.

#### **Section 104**

Veterans who lost entitlements while pursuing education through the Reserve Educational Assistance Program (REAP) should be allowed to have their benefits restored. Allowing those that lost the benefit the ability to recoup their eligibility and switch into chapter 33 is a straightforward, common sense solution to address this problem.

#### **Section 105**

The VFW would ask that more research be done on how many student veterans would be affected by this change and how much money would increase or decrease. There have been cases where school recruiters have sought out new students with the promise of making more money in their housing stipend based on zip code differences. Students should not choose their schools based on Basic Allowance for Housing rates; they should choose their schools based on the value of education they would receive. However, adjusting this rule could have some unintended consequences to veterans through no fault of their own. Making a change to the housing stipend with regard to the location of schools without doing the due diligence as to how many veterans this would affect is a hasty decision, and we would like to see additional information before we make a decision to support this portion of the legislation.

#### **Section 106**

The VFW supports this section which would change the structure of charging for the costs of the tests and certifications veterans apply for, instead of a months' worth of eligibility from their GI Bill. The GI Bill pays for books, labs and fees for student veterans attending college. This bill would include test fees in the GI Bill payment structure, and would provide a savings to the government and also allow student veterans to retain GI Bill eligibility, instead of having to use it for a test fee.

#### **Section 107**

The VFW strongly supports this section to protect student veterans who were negatively affected by school closures. Recently ITT Technical Institute and Westech College suddenly shuttered their doors after losing accreditation. This left thousands of student veterans out of school mid-semester, with no plan for what to do the rest of the term. They had lost weeks or months of GI Bill benefits that were wasted at failed institutions. Even worse, they lost the monthly housing stipend many relied upon for their living situation. This legislation allows these affected student veterans to recoup their lost months of GI Bill eligibility.

While we support this initiative, we do not feel it goes far enough. We think student veterans should be able to recoup the months of eligibility wasted at the closed

institutions just like traditional students can with Pell Grants. Student veterans who attended schools like ITT have now lost those months of GI Bill eligibility and they have no credits to show for it. The VFW has heard from student veterans from the closed schools, and they are now struggling to complete their degrees without their previous credits. GI Bill eligibility should be allowed to be recouped like Chapter Four Pell Grants can be by traditional students. Student veterans deserve the same equity as every other student affected by school closures.

Additionally, these student veterans now have no monthly income from their GI Bill benefits. The VFW strongly supports extending the Basic Allowance for Housing payments for a maximum of four months or until the end of the term, whichever is earliest. Our team at the VFW immediately reached out to the student veterans affected by each of the school closures and offered them a stopgap measure through our Unmet Needs Program. We provided the student veterans with some financial stability to make it through the next month or so while they got settled after this major life upheaval. This was, however, only a band-aid for the real problem. These student veterans need protection for the future so issues like this do not affect them as badly as these past closures have.

#### **Section 108**

The VFW supports this section that offers additional financial assistance for the children of our fallen heroes. The Fry Scholarship gives 100 percent GI Bill benefits to the children and spouses of fallen service members who gave their lives serving our country. While this is a great benefit for the families of the fallen, there are some cases where financially it is not enough.

This legislation would bridge the gap, so the children or spouses who are eligible for the Fry Scholarship would not have to pay any out-of-pocket costs to achieve their educational goals. Allowing recipients of the Fry Scholarship eligibility to the Yellow Ribbon Program is just a very small measure that does not even begin to repay the sacrifice their service member made for our country.

#### **Section 109**

The VFW agrees with the intent of this section which would allow for the transfer of benefits to a surviving child after the loss of another child. The loss of a child is such an unimaginable tragedy that allowing the transference of benefits to a surviving child is only a small measure of relief that we feel is completely reasonable. If a veteran has already transferred their benefits to one child, it should be in their right to move the benefit to another child in cases of death.

#### **Section 110**

The VFW strongly supports this provision to grant additional months of GI Bill eligibility for student veterans pursuing degrees in Science, Technology, Engineering and Math (STEM). Our nation is making a push to encourage more students to pursue STEM degrees in order to be competitive and outpace other nations around the world. Student veterans should be at the forefront of this initiative. In order to make this a possibility, there needs to be some additional eligibility granted for those pursuing these degrees, because STEM programs often take longer than the traditional four years to complete a bachelor's degree. The VFW wants to see student veterans succeed at the highest levels, and extending school eligibility in this case may be necessary to complete these highly important degrees.

#### **Section 111**

The current GI Bill has a 15-year, use-it-or-lose-it time limit on the benefit. This arbitrary cap negatively impacts those veterans looking to use their educational benefit later on in life. Veterans should not be punished for successfully transitioning shortly after their service, and choosing to go back to school afterwards. This legislation would eliminate the 15-year limit and allow the GI Bill to be used whenever a veteran chooses, making this truly a forever GI Bill.

#### **Section 112**

The VFW supports prorating the monthly eligibility for those service members called up on involuntary orders. National Guardsmen and Reservists should not lose an entire month of eligibility if they are not using the entire month due to activation orders. These service members should have that month prorated so they can still retain some of the eligibility.

#### **Section 113**

The VFW strongly supports the improvement of Department of Veterans Affairs (VA) information technology (IT) systems. Time and time again, VA has failed to

accurately account for millions of dollars of wrongful payments due to outdated IT systems. Any efforts to enhance the IT systems and bring them into the 21st century is strongly supported by the VFW. We would like to see this fixed as soon as possible in order to save taxpayer money and alleviate repayment burdens from veterans attending school.

#### **Section 114**

The VFW supports this section as it would provide new job opportunities in expanding fields for the future. Creating innovative ways that service members and veterans can achieve training and proficiency in new technology-related fields is essential for the future of our country and those who served it. The VFW would like to see this program move forward, and we highly endorse the input from the State Approving Agencies (SAA), which are instrumental in ensuring the value and validity of programs like this. The SAA is tasked with overseeing programs such as this and we would like their agencies' approval before moving completely forward with this as a permanent program.

#### **Section 201**

This section is a simple extension of VA's authority to offer work-study allowances for student veterans. The VFW has long supported VA's work-study program, and we would proudly support this initiative to extend the program to 2027. Work-study is a valuable tool for student veterans to support valuable initiatives in and around their school community and earn extra income while taking classes.

While the VFW supports this addition, we would like to see the end date for this program extended indefinitely. There should not be any time in the foreseeable future where there are not veterans attending schools after their enlistments, so we do not see any time where work-study would not be an added value to student veterans.

#### **Section 202**

The VFW has no position on this section.

#### **Section 203**

The VFW supports increasing the payments made to survivors and dependents for educational benefits. As the years have gone on, there has not been a significant increase in the amount of money survivors and dependents receive as their educational benefit. It is beyond time to make an increase in payments so as to keep pace with the rising cost of present day college tuitions.

#### **Section 301**

The VFW supports increasing the funding allocated to the State Approving Agencies. These agencies are the first line in ensuring schools are properly accredited and providing a high standard of education for student veterans. There have been thousands of student veterans left out on their own after their schools closed, sometimes with little or no notice. The SAA's role is to make sure that institutions are accredited and providing the services they claim to provide. For that reason, the VFW endorses additional funding in the hopes that school closures like ITT do not affect veterans in the future. While this section proposes an increase of three million dollars, the VFW would like to see the added funding be seven million dollars in order to strengthen the SAAs even more.

#### **Section 302**

The VFW supports the development and authorization of an independent study program that would further advance a veteran's education. We realize that not every class has to be taken in a traditional brick and mortar institution, and innovative programs like this would provide a new opportunity for veterans to succeed.

#### **Section 303**

The VFW supports authorizing veterans using GI Bill benefits to enroll in classes before the standard enrollment date. Veterans have a finite time to use their education benefits, and being locked out of required classes due to capacity issues is a real problem for student veterans. An easy way to avoid this is to allow veterans using the GI Bill to enroll earlier than the general student body, so as to make sure they do not get denied entrance into their required classes. Providing study results that show this as a viable option would be an excellent path forward for veterans, and is something the VFW would gladly support.

#### **Section 304**

The VFW supports the limitation of reporting fees for general school uses. At the beginning of each term, a School Certifying Official (SCO) reports the enrollment of a GI Bill user to VA. This enrollment signifies the usage of educational benefits for the individual. After this is complete, the school receives a \$12 payment from VA for certifying the enrollment. Currently, there is no limitation on where that money is disbursed within the school's system. This legislation would ensure that schools are not using that reporting fee for their own general use. The VFW supports the plan to limit the usage of those fees for veteran services only. This would add to the amount of money available for veteran programs within those institutions.

#### **Section 305**

The VFW supports mandatory training for SCOs. In 2014 alone, there were \$262 million dollars in erroneous Post-9/11 GI Bill payments to students and most times the students, not the schools, are the ones burdened with repaying the money. Making sure the SCO's are properly trained is one step in avoiding overpayments, and the VFW supports this action. While this legislation does not specifically address the source of funding for this training, the VFW thinks the schools themselves should be responsible for the cost of the training.

#### **Section 306**

The VFW supports extending the authority of the Advisory Committee on Education until 2022. This is a valuable asset the VA Secretary can use to gather information and advice on how student veterans are using their education benefits, and the committee can advise on any changes or improvements that may be needed. The VFW supports this committee and would like to see its authority extended indefinitely. Student veterans will always be going to school, so we think this committee should always be present.

#### **Section 307**

The VFW supports adding vocational and educational counselors to campuses to further expand the resources available to student veterans. Student veterans sometimes face an uphill fight to transition from service to school. Having an additional knowledge base the veterans can lean on is an incredible tool that will only help those veterans succeed in their goals.

#### **Section 308**

The VFW supports giving SCOs access to student veteran's records in order to appropriately counsel the students on their entitlements. As student veterans progress through their educational journey, there are often times they seek help or have questions. Student or academic advisors do not have the ability look up the student veterans' VA eligibility, so allowing the SCO's to do so is a great help. The SCO's should already have familiarity with student veterans and their needs, so installing the ability to view their records should be a seamless addition.

While the VFW supports improving the access to veterans' academic eligibility, we do not see why there should be a cost associated with this. Allowing SCO's to log into VA's system to check on eligibility should not cost millions of dollars. We agree with the process, but not the cost.

#### **Section 309**

The VFW supports allowing leniency in school start dates in terms of processing and payments. Schools across the country are allowed to begin their school years at varying times. A school that is allowed to start the term a day or so later than other schools should not reflect upon the student veteran attending that school. Allowing VA to treat start dates the same across different schools will help the students and VA itself in simplifying this process.

#### **Section 401**

The VFW strongly supports this legislation that would correct the oversight of the Department of Defense by cutting service members' benefits while on active duty orders. National Guardsmen and Reservists were placed on involuntary activation orders that did not allow them to accrue benefits through time and service like their active duty counterparts. While stationed abroad and away from their homes and families, these troops were denied the ability to gain educational credit for use after demobilization.

12304(b) orders need to be amended to keep the activation authority, but reinstitute the benefits that were removed. Thousands of National Guardsmen and Reservists have been involuntarily activated under these orders and have not re-

ceived benefits equal to their active duty counterparts. More and more, DOD is using our nation's reserve component to fight our decade and a half war against terror, and for these men and women to come home without equal benefits is something that must change.

#### **Section 501**

The VFW supports the repeal of Subsection (b) of section 604 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015. This change does not cut benefits and covers the cost of these great additions to the GI Bill.

Mr. Chairman, this concludes my testimony. I am prepared to take any questions you or the members of the committee may have.

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### **Prepared Statement of William Hubbard**

Chairman Roe, Ranking Member Walz and Members of the Committee:

Thank you for inviting Student Veterans of America (SVA) to submit our testimony on the modernization of the GI Bill and other pending legislation. With over 1,400 chapters representing the nearly 1.1 million student veterans in schools across the country, we are pleased to share the perspective of those directly impacted by the subjects before this committee.

Established in 2008, SVA has grown to become a force and voice for the interests of veterans in higher education. With a myriad of programs supporting their success, rigorous research on ways to improve the landscape, and advocacy throughout the nation, we place the student veteran at the top of our organizational pyramid. As the future leaders of this country, fostering the success of veterans in school is paramount in their preparation for productive and impactful lives.

We will discuss our unwavering interest in achieving a GI Billr for all future veterans, along with other policy proposals to expand education access for Purple Heart recipients, Guard and Reserve members, school closure students, and survivors. Since the passage of the Post-9/11 GI Bill in 2008, SVA has been working with a coalition of higher education and veteran organizations to improve the GI Bill for generations to come, including discussions that began in 2016 with the veteran community about making the GI Bill permanent. We also strongly support the removal of the arbitrary 15-year time limit on using this earned benefit, a provision that will truly make this program "Forever".

Our National Veteran Education Success Tracker (NVEST) research demonstrates that the GI Bill has a high return on investment for veterans and the country—a program worth ensuring for all generations to come.<sup>1</sup> As the most recently transitioned generation of veterans, student veterans are ambassadors to the all-volunteer force, and recognize the value of this investment.

SVA and the over 1.1 million student veterans in school today look forward to working with congress and the wider community to make this proposed expansion a reality.

#### **Sec. 101. Consideration of certain time spent receiving medical care from Secretary of Defense as active duty for purposes of eligibility for Post 9/11 Educational Assistance.**

This section proposes amending title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance. The missing code of 12301(h) was a known problem as early as October 2014, documented in an October 1, 2014 Reserve Forces Policy Board memorandum. SVA maintains a hard stance on addressing this issue immediately, and looks forward to seeing a solution passed this year.

#### **Sec. 102. Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.**

This section proposes to amend title 38, United States Code, to consolidate certain eligibility tiers under the Post-9/11 Educational Assistance Program. For reservists, the opportunity to serve on active duty and earn GI Bill benefits may be limited for some, while the wider reserve components continue to be an integral component

<sup>1</sup> Cate, C. A., Lyon, J. S., Schmeling, J., & Bogue, B. Y. (2017). National Veteran Education Success Tracker: A report on the academic success of student-veterans using the Post-9/11 GI Bill. Washington, D.C.

of the overall global Department of Defense posture. This proposal recognizes the importance that National Guard and Reserve Members play in the protection of our nation in service overseas.

The modified tiers of eligibility would provide 10% increases, specifically for those who serve on active duty up to 12 months. The minimum threshold of benefits would be increased up to 50% eligibility for those who serve between three to six months (see table below for reference). Our research indicates that student veterans are quintessentially non-traditional students, which often includes significant financial obligations and costs associated with raising families.<sup>2</sup>

The increase in education benefits at the lower tiers makes achieving educational success a significantly more attainable goal. The reserves of the U.S. Armed Forces has been greatly tested as our country has been at war for well over a decade. Many of these reservists have the opportunity to apply their education in the service of our nation as they are mobilized for deployments, making this increase a direct impact to the overall national security of the country as well.

**Percentage of Maximum Benefit**

Member Service	Current	Proposed
Service-Connected Disability	100%	100%
36+ months	100%	100%
30 - 36 months	90%	90%
24 - 30 months	80%	80%
18 - 24 months	70%	70%
12- 18 months	60%	60%
6 - 12 months	50%	60% (+10%)
3 - 6 months	40%	50% (+10%)

**Sec. 103. Educational assistance under Post-9/11 Educational Assistance Program for members of the Armed Forces awarded the Purple Heart.**

This section would acknowledge the sacrifice of men and women who have served our country with dignity, sustaining battlefield injuries. Currently, only veterans who either served at least 36 months on active duty or are medically retired receive Post-9/11 GI Bill benefits at the 100 percent rate, excluding nearly 3,000 Purple Heart recipients over the next ten years who may not meet these administrative requirements. In practice, this error penalizes men and women who were wounded before they could reach the full term of their contract to receive GI Bill eligibility. SVA believes that those who shed blood in our country's defense should have the opportunity to go to school. For those who have sacrificed their own self in service, we strongly believe those men and women have fully met the service requirement for GI Bill eligibility.

**Sec. 104. Eligibility for Post-9/11 Educational Assistance for certain members of reserve components of Armed Forces who lost entitlement to educational assistance under Reserve Educational Assistance Program.**

This section would allow members of the National Guard and Reserves who lost benefits under the Reserve Educational Assistance Program (REAP) as a result of the National Defense Authorization Act of 2016 to access Post-9/11 GI Bill benefits. Individuals who have experienced a loss of earned benefits due to technical oversights have resulted in many student veterans losing access to education. This section would fix this gap for these students, and provide the critical opportunity to return to school, a much-needed fix.

**Sec. 105. Calculation of monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended.**

<sup>2</sup> Cate, C.A., Davis, T, (2016), Spotlight Brief, <https://studentveterans.org/images/SVASpotlightBrief-1.pdf>



This section would adjust the calculation of the monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended. Currently this disparity exists between where a veteran physically attends classes and resides, and the monthly stipend provided under the Post-9/11 GI Bill.

For example, a veteran could be enrolled at an online institution of higher learning (IHL) based in San Francisco, while living in a rural district of North Dakota; in such a case, the individual would receive substantially higher Basic Allowance for Housing (BAH) than necessary, inflating the programs costs unnecessarily. During a visit to our Student Veterans of America chapters in Hawaii, it was discovered that options at local campuses were limited; while students sought to attend programs online through leading universities, the low rate of BAH based on the location of the university, not the student, greatly limited the opportunities of these geographically displaced student veterans. Unfortunately, this scenario is all too common, while others are earning BAH at much higher rates compared to their locality. It is our position that students should not be profiting off of GI Bill payments, as they exist for the purpose of allowing individuals to attend school.

Additionally, we have seen too many instances of this disparity in BAH calculation encouraging abusive behavior on the part of several schools who locate the IHL address in a high-BAH district, while offering the physical course delivery in a low-BAH location while using the lucrative BAH stipend as a recruiting incentive. The converse of this situation is also a major point of contention, and results in harm to the student veteran while enrolled in an IHL as we have demonstrated. We support this legislation which would adjust the calculation to account for the reality of the living situation.

**Sec. 106. Charge to entitlement for certain licensure and certification tests and national tests under Department of Veterans Affairs Post-9/11 Educational Assistance Program.**

This section would allow veterans to apply their GI Bill benefits to afford the cost of certain licensure and certification tests and national tests. Under the current system, veterans who seek to apply their GI Bill benefits to the cost of taking certification or licensing tests are charged an entire month of their entitlement, regardless of how comparatively low the cost of such test is.

It is common sense that veterans would be able to pro-rate the cost of that charge and retain the remaining value of that month's benefit. This measure will prevent veterans from being dissuaded by the current overcharging inconsistency, and instead encourage taking critical tests necessary for career development without paying costs out of pocket. SVA is fully in support of this common-sense solution, which preserves valuable earned benefits for future education requirements.

**Sec. 107. Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval.**

This section would allow for the restoration of entitlement to GI Bill benefits for student veterans affected by closures of educational institutions. When 28 IHLs under the Corinthian Colleges system closed, there were hundreds of student veterans that were using Post-9/11 GI Bill benefits to attend one of those IHLs. Many of these affected students now find themselves stranded, with their lives on-hold. The VA Secretary currently does not have the authority to provide meaningful relief to student veterans who find themselves in such a situation.

The proposal will apply to veterans receiving GI Bill benefits while pursuing a program of education at an IHL that closed, or who withdrew from a closed IHL within 120 days of the closure, to fully restore for tuition payments. Veterans who complete their program of education at another IHL pursuant to a teach-out plan would not be eligible for relief. VA would also have the authority to identify other students veterans who were harmed by their IHL and may be eligible for such relief.

SVA additionally recommends the inclusion of a provision granting VA the authority to bring appropriate action against an IHL to recover the expenses of providing relief. To ensure that student veterans who have already been harmed can receive relief, the bill would retroactively apply to anyone who received Post-9/11 GI Bill benefits beginning January 1, 2015, thereby covering the Corinthian school closures and those thereafter.

Congress must act to ensure that hard-earned GI Bill benefits are not squandered because of an IHL's failure to serve its students. SVA supports this measure with the conditions of expanding the timeframe to restore entitlement to those affected in the Corinthian closures.

**Sec. 108. Inclusion of Fry Scholarship recipients in Yellow Ribbon G.I. Education Enhancement Program.**

This section would amend title 38, United States Code, to include the Fry Scholarship in the Yellow Ribbon G.I. Education Enhancement Program. SVA stands with many other organizations in strong support of this legislation that would allow the dependents of a service member who died in the line of duty to access Yellow Ribbon Program benefits.

The Marine Gunnery Sergeant John David Fry Scholarship goes to families that have made the ultimate sacrifice for their country; we believe they have more than earned the right to attend an IHL of their choice without comparatively minor tuition costs hampering their success. This is a common-sense proposal; frankly it is ridiculous that that this error has existed for nearly a decade and not yet been amended. We look forward to this being expeditiously put into effect. SVA stands in vigorous support for this legislation.

**Sec. 109. Additional authorized transfer of unused Post-9/11 Educational Assistance benefits to dependents upon death of originally designated dependent.**

This bill would authorize the transfer of unused benefits to dependents upon death of originally designated dependent. At present, in the tragic scenario when a veteran's dependent with transferred GI Bill benefits passes away without using the full extent of those benefits, the unused benefits become unusable. We believe this is an unintended consequence of the way the law is written, and vigorously support this correction, which honors the sacrifice of our military families.

SVA supports this technical correction for transferred GI Bill benefits. Currently, if a service member transfers their GI Bill while alive and subsequently passes, the allocation of benefits and amount allotted to surviving family members is locked in place indefinitely. If the service member or veteran were still living, they could simply adjust the number of months allotted to each family member at will. SVA recommends allowing those entitled to the transferred benefits to determine the decision and amount of reallocation of benefits as an additional component of this proposal.

**Sec. 110. Edith Nourse Rogers STEM Scholarship.**

This scholarship would be named after Edith Rogers, a long-time Massachusetts Member of Congress and drafter of the Original GI Bill in 1944; Rep. Rogers espouses the spirit of the Got Your 6 empowerment campaign and their focus on empowering women veterans,<sup>3</sup> #shesbadass.<sup>4</sup> A true champion of veterans, she was one of the first women to serve in the U.S. House of Representatives, and completed her service after nearly 35 years in the House. This scholarship likewise presents veterans with an opportunity to achieve STEM degrees, and in the honor of a woman who equally sought to benefit the country in ways bigger than herself.

This section would amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide additional educational assistance benefits under the Post-9/11 Educational Assistance Program of VA to certain eligible individuals, specifically those seeking STEM (science, technology, engineering, and math) degrees. With the current resources provided by the GI Bill, the marginal cost of an additional academic year for student veterans pursuing STEM will yield the essential mass of leaders our country needs. Investing in an additional year for STEM-focused student veterans will ultimately result in economic gains and tighter national security, and supporting this section is the first step.

Presently, 16–20% of all undergraduate students are in pursuit of a STEM degree. While less than one fifth of current students seeking STEM degrees, even fewer achieve them since more than one third of the general population change their major before they graduate. Compare those numbers to what we learned from the research we published this year, the National Veteran Education Success Tracker (NVEST), we found that 14% sought STEM degrees.

The aptitude and interest is clear—the resources to deliver more STEM graduates in the single major barrier to even greater numbers of STEM graduates<sup>5</sup>. According to a report from Georgetown University's Center of Education and the Workforce, “The Economic Value of College Majors”, top-paying college majors earn a total \$3.4

<sup>3</sup>Hachey, Thomas E. (Winter 1973–1974). “American Profiles on Capitol Hill: A Confidential Study for the British Foreign Office in 1943”. *Wisconsin Magazine of History*. 57 (2): 141–153.

<sup>4</sup>Got Your 6, <https://gotyour6.org/impact/shesbadass/>

<sup>5</sup>Cate, CA, 2017, National Veteran Education Success Tracker, <http://nvest.studentveterans.org/>

million more than the lowest-paying majors over a lifetime; the top ten highest paying majors are all in STEM fields, eight of which are in engineering<sup>6</sup>.

In today's economic environment, the highest paying majors will earn graduates an average mid-career salary of \$136,000. The lowest earning potential includes majors such as studio arts or human services. Such majors earn a mid-career salary of nearly \$100,000 less per year. The tax revenue from STEM professionals alone suggests this is a beneficial proposal. The need for STEM-focused professionals with a commitment to service, and the leadership skills to make a difference has never been greater.

Our country faces a key decision point. We are currently affording veterans the opportunity to go to IHLs, but we must determine what shapes this new and dynamic workforce. After these veterans graduate, wouldn't we prefer that our country gains scientists, engineers, cybersecurity professionals, physicists, and other high-demand professionals? The marginal cost of an additional academic year is well-worth the added short-term cost, noting the long-term benefit to the economy.

Veterans should not be forced to decide between continued service through a STEM career, and the financial burden that mitigates the value of their earned GI Bill benefits. It has long been our goal to see every veteran maximize the potential of their GI Bill, and this is the answer. It would otherwise take years to find other graduates with level of experience and knowledge that veterans already possess—time we simply do not have.

The ability and expertise of these veterans, when coupled with a STEM education, will be an unparalleled force. Our service members are routinely exposed to highly technical equipment, processes, and environments, often with lives depending on their ability to succeed in high-pressure situations. We know they can, and do, succeed when given the opportunity.

When determining our support for this proposal, we consider the long-term economic impact of increased tax revenue from higher-paid STEM professionals; we consider the national security need for leaders in these fields; and we consider how the previous GI Bill prepared our country for the most modern workforce of its time. We know veterans have a demonstrated commitment to service, and the leadership skills necessary to make the country's STEM fields an unmatched force.

SVA recognizes Rep. David McKinley (WV-1) and Rep. Dina Titus (NV-1) for initially proposing this concept in 2015. Their foresight recognized the need and value of such a scholarship, and we look forward to the Rogers STEM Scholarship becoming a reality.

**Sec. 111. Honoring the national service of members of the Armed Forces by elimination of time limitation for use of entitlement.**

We believe that veteran education benefits are not a cost of war, but instead a right of service. We believe that education opportunities should be a lifetime benefit, and thus require the removal of the current 15-year delimiting date within Chapter 33 benefits. Such an arbitrary cap on the opportunity to use this earned benefit serves only as a hindrance to the success of veterans.

In addition to the removal of the 15-year limit, it is imperative that the GI Bill no longer be considered through the strict lens of wartime eras. Indeed, tying education benefits to wartime eras led to each previous iteration of the benefit being cut. As a component of service, there should be one bill that serves all current and future veterans, and therefore should be updated in name to reflect this timeless concept, as "The Veterans Education Assistance Act" or referred to simply as the GI Bill. This simplified naming convention may seem minor, but its importance is far-reaching as the re-naming of the benefit indicates its importance to all generations of veterans.

**Sec. 112. Monthly stipend for certain members of the reserve components of the Armed Forces receiving Post -9/11 Educational Assistance.**

This section would pro-rate the housing allowance to reflect periods when the service member is not on active duty and allow them to fully partake in their earned housing allowance under their GI Bill benefits. While many National Guard and Reserve members continue to serve while attending an IHL, many lose eligibility for GI Bill housing allowances when ordered to duty under title 10, United States Code. Caught between active duty, though receiving an insufficient housing allowance from the active duty service, and coupled with the inability to receive GI Bill hous-

<sup>6</sup>Carnevale, Anthony, "The Economic Value of College Majors", Georgetown University Center for Education and the Workforce, 2015, <https://cew.georgetown.edu/cew-reports/valueofcollegemajors/> 2—

ing payments, the veteran is punished for their continued service. This technical change would address this oversight.

**Sec. 113. Improvement of information technology of the Veterans' Benefits Administration of the Department of Veterans Affairs.**

This section would direct the VA Secretary to make improvements to the information technology system of the Veterans Benefits Administration (VBA) of VA. The directs that to the maximum extent possible, VBA should access information technology (IT) funding to address critical IT infrastructure updates. Presently VA's Office of IT (OIT) functions as a collective funding source for the total VA; simply put, individual departments have no dedicated resources for IT needs.

The result of VA's current IT resourcing model structure is that OIT must constantly determine the highest priority needs of the VA as a whole, leaving some departments with a low level of resources for sustained periods of time. The dedication of these resources will allow the Veterans Benefits Administration (VBA) with the opportunity to receive necessary support in IT upgrade which directly the ability of VA to effectively process payments of benefits to student veterans.

**Sec. 114. Department of Veterans Affairs high technology pilot program.**

This section proposes to direct the Secretary of Veterans Affairs to carry out a high technology education pilot program. The proposal would operate as a five-year pilot program, funded for up to \$15 million annually. SVA views this as complimentary to existing education programs, and addresses the need to develop innovative programs targeted at non-traditional students. The split payment requirement incentivizes providers to deliver high quality programs with high-impact and successful student outcomes.

With an increase in innovation in higher education with companies like Dog Tag Bakery at Georgetown University, the education industry is beginning to recognize the need to adapt to more flexible or hybrid models for new generations of students. It is unclear if the contracts under this proposal reset annually, or how those funds are to be dispersed, however SVA is confident that such logistical details would be minor hurdles when compared to the overall benefit of this concept.

The industry desire for such a program is clear, including support from the Information Technology Industry Council (ITI), the global voice of the tech sector.<sup>7</sup> Over 60 members of ITI include technology giants such as Google, Twitter, Amazon, Facebook, Adobe, Microsoft, IBM, Intel and many others.<sup>8</sup> Like VA's Accelerated Learning Program (ALP), SVA is eager to learn about the outcomes of this proposal.

**Sec. 201. Work-study allowance.**

This section would amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs. The VA Work-Study Program is widely accepted as a highly beneficial system that provides student veterans the opportunity to earn additional income while attending an IHL, and simultaneously support the broader mission of VA.

The Post-9/11 GI Bill is the most comprehensive and generous education benefit ever offered, though it often does not cover the total costs student veterans' experience. As the quintessential non-traditional students, student veterans are often more mature by age and experience, 52% have families, and 18% are single parents. Roughly half of student veterans work full-time while attending an IHL, and another 25% work part-time. With nearly 780,000 student veterans working while attending an IHL, it is clear that the demand for this opportunity is high.

**Sec. 202. Duration of educational assistance under Survivors' and Dependents' Educational Assistance Program.**

This section modifies the Survivors' and Dependents' Educational Assistance (DEA) Program from 45 months of educational benefits to 36 months. The benefits of survivors and dependents would be comparable to those of the servicemembers. The DEA hasn't been updated to reflect the rising costs of college in many years, and unfairly offers survivors a lower rate. The compression of months is more reflective of the typical time to completion rate. Also, the change will afford an increase in the current payment rates, while maintain a budget-neutral, or cost reduction benefit.

<sup>7</sup>ITI letter to the Honorable Kevin McCarthy, "Re: H.R. 1989, the Veteran Employment Through Technology Education Courses Act", April 25, 2017.

<sup>8</sup>Information Technology Industry Council, Member Companies, <http://www.itic.org/about/member-companies>, Accessed June 10, 2017

**Sec. 203. Olin E. Teague increase in amounts of educational assistance payable under Survivors' and Dependents' Educational Assistance Program.**

This section would increase the amounts of educational assistance payable under DEA. In conjunction with section 202, this will provide survivors with an increased benefit, which is desperately needed due to the outdated payment rates. Unfortunately, many survivors are ineligible for the Fry Scholarship because the service member died prior to September 11, 2001, or were separated with a medical discharge and passed away as a retiree. It is our unwavering position that family members of the fallen utilizing these benefits earned with the ultimate sacrifice should be viewed as equal to veterans themselves for the purposes of education benefits.

**Sec. 301. State approving agency funding.**

This section proposes an increase in resources provided to State Approving Agencies (SAA), the primary oversight and approval entities that determine program eligibility for GI Bill benefits. SVA believes that SAAs are a critical component to ensuring quality education, preventing fraud and abuse, and looking out for student veterans who may be subject to bad practices at various IHLs.

SAAs are effectively the gatekeepers of the GI Bill. Yet, the amount of resources provided to them has not kept pace with inflation and rising costs. We continue to urge congress to increase support for SAAs, and are pleased to see the inclusion of this legislation. The amount of resources spent on oversight should reflect the importance of resources spent in educational benefits; as such SVA supports the recommendations of the National Association of State Approving Agencies (NASAA) to increase funding from \$19 million to \$26 million.

**Sec. 302. Authorization for use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning.**

This section permits veterans to use Post-9/11 Educational Assistance for an accredited independent study program (including open circuit television) at an educational institution that is an area career and technical education IHL or a postsecondary vocational IHL providing postsecondary level education.

**Sec. 303. Provision of information on priority enrollment for veterans in certain courses of education.**

This section proposes that, pursuant to subsection (b)(5) of Title 38 section 3698, the Secretary of VA will seek to collect information on whether or not IHLs operate priority enrollment programs. In discussions with dozens of higher education organizations, it is abundantly clear that there is a lack of information regarding the existence or application of priority enrollment programs as it pertains to student veterans.

The majority of student veterans are non-traditional students, and many have spouses, children, and careers. It is true that they do not have the luxury of waiting a year or a few semesters to take a required course when their livelihood is in the balance. SVA believes collection of this information over time will provide a strong basis for understanding the need and potential solutions to applying this concept, as well as the proper level that such programs should be applied.

**Sec. 304. Limitation on use of reporting fees payable to educational institutions and sponsors of programs of apprenticeship.**

This section proposes increasing reporting fees as high as \$16 per number of eligible veterans to execute or offset services required to process benefits. It also requires them to use the money for veterans. SVA believes the reporting fees to be critical components of offsetting the cost of administering GI Bill education benefits at the institution level; we also support requiring this reporting fee be accounted for appropriately as well as being expended on activities related to the execution of veteran benefit processing.

Some concern has been expressed that IHLs with very few veterans would be caused undue strain in establishing a separate account for such a low number of students. As such, SVA supports setting a threshold to require IHLs with significant populations to adhere to this requirement, to avoid IHLs with only several student veterans from experiencing undue accounting strain as result of this provision.

**Sec. 305. Training for school certifying officials.**

This section codifies the requirements for school certifying officials (SCO) training. SVA supports this provision, as the training provided through VA is critical for

SCO's to maintain a high level of professional aptitude. In some cases, IHLs have not allowed SCOs to attend training, alleging that it was not required. This requirement removes any doubt about the importance of that training.

**Sec. 306. Extension of authority for Advisory Committee on Education.**

This section extends the authority of the VA Advisory Committee on Education (VACOE), an advisory body of subject matter experts that provide the Secretary of VA input on veteran issues in higher education. Previously, SVA provided input at through this forum to highlight necessary reform changes and statute which legally required VA to establish an agreement with the Federal Trade Commission (FTC).

Upon recommendation to the Secretary of VA at the 2015 VACOE meeting, the agreement with FTC was reached. This is an example of the significant value and detailed level of policy analysis that the VACOE can provide to the Secretary. Additionally, SVA recommends the inclusion of a current student veteran to incorporate the perspective of those directly impacted by these policies, and looks forward to working with VA on implementing this recommendation.

**Sec. 307. Department of Veterans Affairs provision of on-campus educational and vocational counseling for veterans.**

This section would direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and codify the program. SVA has been a long-time supporter of the VetSuccess on Campus (VSOC) program, which entails the campus having a VSOC Counselor, an expert full-time VA detailee, right on campus. We frequently hear student veterans identify the VSOC program as a top benefit that they find to be most valuable for their higher education experience.

In providing feedback to SVA regarding the VSOC program, one student veteran shared, "We have a VSOC Counselor from VA come to the IHL twice a month so Vets can start a new claim or ask questions concerning a claim. This helps immensely as the VA hospital is a 35-minute drive from IHL and keeps our Vets on campus. Vets can ask our counselor any type of question concerning their benefits. They are also a Vocational Rehabilitation (VocRehab) counselor for a few of the Vets on campus. We are incredibly lucky to have this program on campus."

In addition to appreciating the on-site access to a qualified VA counselor, many alluded to a direct personal impact on their academic performance. Another student veteran shared, "The VSOC has been there to help me through the transition from soldier to student. Counseling, advising, financial help, even tutoring has been afforded to me through the VSOC. The VA representative has gone above and beyond to help me succeed, especially when IHL and life became overwhelming for me."

These comments are indicative of the general feedback we received from members over the past several months in our field research on the program. In addition to the general support provided by VSOC counselors, student veterans noted the ability of counselors to quickly correct and process certifications as a major benefit to their campus. They often appreciated the connection counselors make with IHL administration as well. We believe the VSOC program is highly beneficial to student veterans and would like to see it expanded as resources allow.

**Sec. 308. Provision of information regarding veteran entitlement to educational assistance.**

This section proposes allowing IHLs to view the total and remaining amount of educational benefits of a veteran thereby allowing the IHL to properly counsel those veterans on their financial obligation and IHL requirements. This is a simple change with a significant impact, enabling greater communication between the IHL and the veteran.

SVA is pleased to see the inclusion of an opt-out option for students who do not wish their IHL to have access to this information. In some cases, the potential for low-quality schools to use this information to the advantage of the school instead of the student is of concern. The opt-out option allows the student to manage this risk by providing them a mechanism to prevent their school from accessing the information regarding their GI Bill benefits.

**Sec. 309. Treatment, for purposes of educational assistance administered by the Secretary of Veterans Affairs, of educational courses that begin seven or fewer days after the first day of an academic term.**

This section would allow IHL SCO and regional processing officers (RPO) the ability to define a "calendar week" for the purpose of education benefits as "the seven-day period beginning on the first day of the institution's published academic calendar". At present, VA defines a calendar week as being from Sunday to Sunday,

while policy guidance for SCOs necessitates that those officials process terms depending on the first date the class meets for that period of the week. This minor technical discrepancy has led to some confusion in processing benefits, as well as duplicative efforts. SVA supports this change to reflect the reality of processing these benefits consistent with our interpretation of the congressional intent of the benefit.

**Sec. 401. Eligibility of reserve component members for Post 9/11 Educational Assistance.**

**&**

**Sec. 402. Time limitation for training and rehabilitation for veterans with service-connected disabilities.**

Sections 401 and 402 recognize the service of National Guard and Reserve Members and ensures that an order to serve on active duty under sections 12304a and 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for the purposes of determining benefits eligibility of service members and veterans.

Many of these service members perform the exact same duties as their active duty counterparts, yet they realize none of the benefits. Fixing this discrepancy is a top priority for SVA, as well as nearly 40 other military, veteran, and higher education organizations that identified this issue with unanimous consent as being an imperative change.<sup>9</sup>

This section will fix an issue affecting thousands of National Guard and Reserve members have been negatively impacted. Deployments such as the deployment of an array of Marine Corps Reserve units as part of the Special Purpose Marine Air-Ground Task Force (SPMAGTF) in 2016 experienced this issue first-hand. In the case of the SPMAGTF, nearly 300 Marine Corps Reservists were inaccurately advised from senior leadership that they would receive GI Bill Benefits, among other entitlements, for their active duty service.

Those Marines and Sailors spent nearly six months serving in austere conditions, including several weeks as the initial reaction force in Haiti immediately following Hurricane Matthew<sup>10</sup>. While these servicemembers served side by side with their active duty counterparts, the Marine Reservists learned toward the end of the deployment that due to their activation code (12304b), they would not be eligible for GI Bill benefits.

Many of those young men and women had looked forward to earning an education, and were abruptly forced to drastically alter their education timelines. These sections would address the negative effects of this technical oversight, and empower these servicemembers to finally pursue their education goals.

**Sec. 501. Repeal inapplicability of modification of basic allowance for housing to benefits under laws administered by Secretary of Veterans Affairs.**

This section proposes aligning the basic allowance for housing under the Secretary of Veterans Affairs with the cost of adequate housing as determined by the Secretary of Defense. SVA supports this provision as it is grounded in common sense, while affording the opportunity to address the many issues presented within the previous sections.

We thank the Chairman, Ranking Member, and the Committee members for your time, attention, and devotion to the cause of veterans in higher education. We also want to recognize the dedication of the Chairman's staff, especially Jon Clark, Kelsey Baron, Caroline Ponseti, and Tiffany Haverly, who have dedicated countless hours to refining these provisions in close coordination with their colleagues in the Senate. As always, we welcome your feedback and questions, and we look forward to continuing to work with this committee, the House Veterans' Affairs Committee, and the entire congress to ensure the success of all generations of veterans through education.

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<sup>9</sup> GI Bill Roundtable meeting, The American Legion Headquarters, May 18, 2017

<sup>10</sup> Joint Task Force Matthew Arrives in Haiti To Provide Relief Efforts, Oct 7, 2016, <http://www.marines.mil/News/News-Display/Article/967658/joint-task-force-matthew-arrives-in-haiti-to-provide-relief-efforts/>

**Prepared Statement of John Kamin**

**LEGISLATIVE HEARING ON THE TOPIC OF:**

**SECTIONS 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114,  
201, 202, 203, 301, 302, 303, 304, 305, 306, 307, 308, 309, 401, 402, 501**

**OF**

**THE HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT  
OF 2017**

JULY 17, 2017

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Section 102	Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs	4	Support
Section 103	Educational Assistance Under Post-9/11 Educational Assistance Program for Members of the Armed Forces Awarded the Purple Heart	6	Support
Section 104	Educational assistance under Post-9/11 for certain members of reserve components of Armed Forces who lost entitlement to educational assistance under Reserve Educational Assistance Program	6	Support
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Section	Title	Page	Position
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Section 307	Department of Veterans Affairs provision of on-campus education and vocational counseling for veterans	18	Support
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Section 501	Repeal inapplicability of modification of basic allowance for housing to benefits under laws administered by Secretary of Veterans Affairs	21	Support

Chairman Roe, Ranking Member Walz, and distinguished members of the committee; On behalf of Charles E. Schmidt, the National Commander of the largest Veteran Service Organization in the United States of America, representing more than 2 million members of The American Legion, the nation's largest veterans organization, we express our support for draft legislation entitled the Harry W. Colmery Veterans Educational Assistance Act of 2017.

This bill, as currently written, would launch a new era for all who have honorably served in uniform, and for the nation as a whole. It would close current gaps in the existing Post 9/11 GI Bill and guarantee that veterans have access to their hard-earned GI Bill benefits beyond the current 15-year time limit. In essence, it would help today's GI Bill live up to the world-changing accomplishments of the original penned by Harry W. Colmery, which transformed America after World War II. In that vein, The American Legion urges this new implementation of the GI Bill is amended to be titled the "Colmery GI Bill."

Through Resolution No. 349, Support Legislation to Improve the Post-9/11 GI Bill, The American Legion stands firmly behind the Harry W. Colmery Veterans Educational Assistance Act of 2017. As The American Legion did when the original GI Bill was passed in 1944, and subsequent versions were introduced, we will fight for this improved version until it is sent to the President's desk for his signature. The American Legion will continue to work closely with the Committee to ensure that veterans and their families rally across this country for these improvements.

**Section 101. Consideration of certain time spent receiving medical care from Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance**

Members of the National Guard or Reserve who are wounded in combat are often given orders under 10 USC 12301(h) for their recovery, treatment, and rehabilitation. Unfortunately, Federal law does not recognize such orders as eligible for Post-9/11 GI Bill education assistance, meaning that unlike other members of the military, these members of the National Guard and Reserve lose benefits for being injured in the line of duty. An example is Captain Bryan Lowman of the North Carolina National Guard.

In 2010, Captain Lowman was deployed to Afghanistan in a detachment with the North Carolina National Guard. During the deployment, he became severely ill with typhoid fever, lapsed into a coma and underwent multiple emergency surgeries over the course of a year in Afghanistan, Germany and at Walter Reed Medical Center in Bethesda, MD. After his long recovery, Captain Lowman aimed to pursue a college degree. Based upon his active-duty time on his DD214, Captain Lowman was to be entitled to 90 percent of his Post-9/11 GI Bill benefits. However, since his activation status was changed to 12301(h) medical orders, his eligibility was reduced to only the time he served before his illness. Section 101 would end that unequal treatment and ensure these servicemembers are eligible for the same GI Bill benefits as Active Duty members of the military.

The American Legion considers it truly unjust to deny wounded and injured servicemembers the ability to accrue educational benefits for the time they spend receiving medical care. No veteran should lose their benefits simply because they were injured while serving this nation.

Resolution No. 20: GI Bill Fairness for Wounded Servicemembers and Activated National Guard and Reservists supports any legislative proposal that provides amendments to U.S. Code Titles 5, 10, 37 and 38 commensurate with U.S. Code Title 10 authorized service, such as 12304b and 12301(h), that grant Post-9/11 GI Bill benefits.<sup>1</sup>

#### **The American Legion supports Section 101.**

#### **Section 102. Consolidation of certain eligibility tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs**

Reservists and National Guard troops often incur large sums of educational debt due to partial eligibility of GI Bill benefits. The American Legion feels that any effort to expand benefits to National Guard and Reservists for educational advancement will lead to more productive, work ready, and educated veterans. In 2009, the U.S. Bureau of Labor Statistics showed that there was a direct correlation between education and unemployment. 9% of Americans with only a high school diploma were unemployed, whereas only 4.3% of Americans with a Bachelor's degree or higher were unemployed.<sup>2</sup>

Additionally, many veterans are non-traditional students with families. 52% of student veterans are married, and 23% are single parents.<sup>3</sup> Given these added responsibilities, incurring educational debt can be burdensome for a family. This draft bill aims at alleviating some of the education liability of attending college by adjusting the eligibility tiers currently in place under the Post-9/11 Educational Assistance program for Reserves and National Guard.

From 1995 to 2015, the average cost of tuition and fees at a private national university increased 179%. The average in-state cost for tuition and fees at a public university grew by 296%.<sup>4</sup> The American Legion feels that it is time to adjust the percentage of maximum benefit payable to individuals serving our nation to better cover the costs associated with attending higher education. We support the following pay structure alignment:

<sup>1</sup>The American Legion Resolution No. 20 (2017): GI Bill Fairness for Wounded Servicemembers and Activated National Guard and Reservists

<sup>2</sup>U.S. Bureau of Labor Statistics: <https://www.bls.gov/spotlight/2010/college/>

<sup>3</sup><https://studentveterans.org/images/SVASpotlightBrief-1.pdf>

<sup>4</sup>U.S. News & World Report: <https://www.usnews.com/education/best-colleges/paying-for-college/articles/2015/07/29/chart-see-20-years-of-tuition-growth-at-national-universities>

## Old Tier Structure:

Member Serves	Percentage of Maximum Benefit Payable
At least 36 months	100%
At least 30 continuous days on active duty and must be discharged due to service-connected disability	100%
At least 30 months, but less than 36 months	90%
At least 24 months, but less than 30 months	80%
At least 18 months, but less than 24 months	70%
At least 12 months, but less than 18 months	60%
At least 06 months, but less than 12 months	50%
At least 90 days, but less than 06 months	40%

## New Tier Structure:

Member Serves	Percentage of Maximum Benefit Payable
At least 36 months	100%
At least 30 continuous days on active duty and must be discharged due to service-connected disability	100%
At least 30 months, but less than 36 months	90%
At least 24 months, but less than 30 months	80%
At least 18 months, but less than 24 months	70%
At least 06 months, but less than 18 months	60%
At least 90 days, but less than 06 months	50%

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>5</sup>

**The American Legion supports Section 102.**

**Section 103. Educational Assistance Under Post-9/11 Educational Assistance Program for Members of the Armed Forces Awarded the Purple Heart**

Section 103 would grant full Post-9/11 GI Bill eligibility to all Purple Heart veterans who qualify for a portion of the benefit. Currently, only veterans who either serve at least 36 months on active-duty or are medically retired receive Post-9/11 GI Bill benefits at the 100 percent rate. Unfortunately, this leaves out many Purple Heart recipients, particularly from the Reserve Components, injured in combat but activated for less than three years in total. These servicemembers should not be penalized for being wounded before they could reach the full term of their contract to receive GI Bill eligibility. Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>6</sup>

**The American Legion supports Section 103.**

**Section 104. Educational assistance under Post-9/11 for certain members of reserve components of Armed Forces who lost entitlement to educational assistance under Reserve Educational Assistance Program**

<sup>5</sup> The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>6</sup> The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

Section 104 would allow servicemembers who elected but did not utilize Chapter 1607, the Veterans Education Assistance Program (REAP) eligibility for the Post-9/11 GI Bill. REAP was officially sunsetted on November 25, 2015. While some individuals will remain eligible for REAP benefits until November 25, 2019, most are no longer eligible for REAP, despite their accrued months of eligibility. These servicemembers earned their educational benefits, and should not be penalized because of an arbitrary sunset of Chapter 1607. This section is a common sense solution that would allow transferability of remaining months of Chapter 1607 eligibility over to Chapter 33.

The American Legion believes that Post-9/11 military service deserves Post-9/11 education benefits.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves education benefits so servicemembers, veterans, and their families can maximize its usage.<sup>7</sup>

**The American Legion supports Section 104.**

**Section 105. Calculation of monthly housing stipend under Post-9/11 Educational Assistance Program based on location of campus where classes are attended**

This provision of the draft bill corrects a discrepancy in the determination of Post-9/11 GI Bill housing payments by calculating the payment based on where students attend their classes, rather than where the institution of higher learning is certified.

Currently, the VA determines the Basic Allowance for Housing (BAH) amount based on the zip code where the school is certified, not necessarily the location of the school. This policy can result in monthly BAH payments that fall below or far exceed the cost of living in certain zip codes. As a consequence, some schools receive an unfair recruiting advantage by paying student veterans more than what was intended for BAH in that area.

The American Legion believes that veterans should not make their educational choices based on housing benefit inconsistencies. Section 105 ensures veterans receive an adequate and fair housing allowance while eliminating fraud and abuse of the program.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>8</sup>

**The American Legion supports Section 105.**

**Section 106. Charge to entitlement for certain licensure and certification tests and national tests under Department of Veterans Affairs Post-9/11 Educational Assistance Program**

After completing their military service, veterans are eligible for a limited number of months of GI Bill benefits, which reimburses them for educational expenses incurred. Current law requires veterans to use a full month of their GI Bill eligibility to be reimbursed for licensing, certification, and national tests. Such tests open new doors to employment and allow veterans to advance and enhance their education and career. Given the relatively low cost of many tests, it is often simply not worth losing reimbursement for an entire month of tuition payments for other less expensive educational expenses.

Section 106 allows veterans to be reimbursed for approved licensing, certification, and national tests, while still allowing the veteran to use their remaining GI Bill benefits for additional educational expenses in the same month.

Resolution No. 338: Support Licensure and Certification of Servicemembers, Veterans and Spouses supports any legislative proposal that empowers the Department of Veterans Affairs to take appropriate steps to ensure that servicemembers and veterans be trained, tested, evaluated, and have the opportunity to obtain any credential (i.e., licensure, certification, certificate, degree, etc.) that may be required in the local civilian workforce.<sup>9</sup>

**The American Legion supports Section 106.**

<sup>7</sup> The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>8</sup> The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>9</sup> The American Legion Resolution No. 338 (2016): Support Licensure and Certification of Servicemembers, Veterans and Spouses

**Section 107. Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval**

When a school closes, non-veteran students have federal protections to support them. Affected students with federal student loans have the ability to discharge their student loans. Students who received Pell Grants can have their eligibility periods reset for the time spent at a closed institution. The American Legion believes strongly that veterans are entitled to the same protection as their civilian counterparts. Over 6,000 student veterans were attending ITT Tech when they abruptly shut down their campuses,<sup>10</sup> and more school closures will inevitably occur.

The American Legion applauds the Committee's effort in addressing this issue. With multiple solutions to school closures presented to the Committee from both sides of the aisles, provisions were specifically selected to maximize support for displaced student veterans. Section 107 is not only backdated to support veterans affected by the Corinthian closures but also provides emergency housing stipends to support veterans in the event of permanent school closures.

Resolution No. 21: Education Benefit Forgiveness and Relief for Displaced Student-Veterans supports legislation that restores lost benefits to student-veterans attending schools that abruptly shut down.<sup>11</sup>

**The American Legion supports Section 107.**

**Section 108. Inclusion of Fry Scholarship Recipients in Yellow Ribbon G.I. Education Enhancement Program**

Section 108 would amend title 38, United States Code, to expand the Yellow Ribbon G.I. Education Enhancement Program to apply to individuals pursuing programs of education while on active duty, to recipients of the Marine Gunner Sergeant John David Fry scholarship, and to programs of education pursued on half-time basis or less, and for other purposes.

This would address a current statutory regulation that excludes eligible dependents of a servicemember killed in action from enhanced tuition reimbursement available through the Yellow Ribbon Program. This simple legislative fix will provide Fry Scholarship recipients with the same benefits as other Chapter 33 eligible beneficiaries and allow scholarship awardees access to education at Yellow Ribbon Schools.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>12</sup>

**The American Legion supports Section 108.**

**Section 109. Additional authorized transfer of unused Post-9/11 Educational Assistance benefits to dependents upon death of originally designated dependent**

Section 109 would permit reassignment of veterans' education benefits in cases where the designated beneficiary passes away. Unfortunately, it took a tragic event to realize the necessity for this change.

In 2012, 16-year old Shauna Hill died in a two-car crash. Her father, retired Navy Capt. Edward Hill had granted Shauna his education benefits to his daughter to go to college. After her death, Mr. Hill had hoped to transfer this education benefit to his younger daughter, however, was informed that federal law prohibits transferring GI Bill benefits from one child to another post-retirement. Section 109 is a common sense bill aimed at making the lives easier for veterans who have chosen to gift their hard-earned education benefit.

However, The American Legion requests another technical correction for transferred GI Bill Benefits concerning survivors. If a service member transfers their GI Bill while alive and subsequently passes, the family is prohibited from adjusting the number of months of benefits allotted to each family member. As Congress reviews improvements to legislation affecting the families who have sacrificed the most, it must not forget about this technical oversight.

Resolution No. 308: Amending the Eligibility for the Transfer for the Post-9/11 GI Bill supports legislation that would authorize all servicemembers with ten years or more of active-duty service, who are eligible for the Post-9/11 GI Bill educational

<sup>10</sup> <http://www.indystar.com/story/money/2016/09/06/why-veterans-have-most-lose-if-itt-tech-closes/89710280/> "Why ITT closing hits veterans hardest"

<sup>11</sup> The American Legion Resolution No 21: Education Benefit Forgiveness and Relief for Displaced Student-Veterans

<sup>12</sup> The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

benefits, be able to use the transferability entitlement to give to their immediate family members.<sup>13</sup>

**The American Legion supports Section 109 but requests that additional amendments be made to allow survivors of those who had transferred the GI Bill and passed to adjust the months amongst those designated.**

**Section 110. Additional Educational Assistance Program of Department of Veterans Affairs**

The American Legion wants all veterans to succeed and would like to see more veterans enter Science, Technology, Engineering and Math (STEM) fields. This section would incentivize veterans to enter fields where there are critical shortages and high yearly job growth. In order to successfully compete on the global stage, America must determine innovative solutions to incentivize and promote involvement in STEM fields. Section 110 would introduce our country's best to meet the needs of this highly skilled workforce by extending the GI Bill for up to nine additional months of eligibility.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>14</sup>

**The American Legion supports Section 110.**

**Section 111. Honoring the national service of members of the Armed Forces by elimination of time limitation for use of entitlement.**

Section 111 would give servicemembers and veterans who are eligible for the GI Bill an unlimited time to use to earned education benefits by repealing the 15-year limit. This has the potential to greatly increase GI Bill usage rates, and give servicemembers greater flexibility while pursuing educational opportunities.

Recent research by Student Veterans of America (SVA) has produced a compelling case that the Post-9/11 GI Bill is fulfilling the legacy of the original GI Bill as being a sound investment for the country. SVA's recently released National Veterans Education Success Tracker (NVEST) has calculated a success rate for student veterans of 72%, performing better than their non-traditional student peers, and producing demonstrable results. From 2009 to 2013, the Post-9/11 GI Bill helped earn over 377,000 degrees and credentials, with projections exceeding 1.4 million over ten years.<sup>15</sup>

While it is still too early to determine the usage rate of the GI Bill implemented in 2009 given it's 15-year limitation, historical trends suggest it will not be utilized by all eligible veterans. In 2003, the Montgomery GI Bill Biennial Report to Congress cited only 59% of eligible servicemembers had used some or all of their benefits, a striking number considering eligible servicemembers had paid \$1,200 to receive the benefit.<sup>16</sup>

It is clear that a reasonable explanation for the lack of usage is satisfaction with present educational and economic status, especially for military retirees. However, there is no guarantee that this will always be the case. For example, if a Marine Staff Sergeant who possesses a Bachelor's degree transitions to civilian life as a government contractor, the necessity to utilize the GI Bill may not exist initially after departing military service. However, fifteen years later, external circumstances and career changes may occur that make the GI Bill necessary to her future more than it was the day she transitioned from Active Duty. And as SVA's research has shown: the country would benefit by providing her these benefits.

Resolution No. 312: Eliminate Delimiting Dates for the Montgomery GI Bill and Post-9/11 GI Bill supports lifting time constraints with regards to the Montgomery GI Bill and Post-9/11 GI Bill.<sup>17</sup>

**The American Legion supports Section 111.**

**Section 112. Monthly stipend for certain members of the reserve components of the Armed Forces receiving Post-9/11 Educational Assistance.**

<sup>13</sup>The American Legion Resolution No. 308 (2016): Amending the Eligibility for the Transfer for the Post-9/11 GI Bill Educational Benefits

<sup>14</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>15</sup>"National Veteran Education Success Tracker", Student Veterans of America

<sup>16</sup>"Hearing Before the Committee on Veterans Affairs, United States Senate" May 9, 2007 Statement of Hon. Maria Cantwell, Senator from Washington

<sup>17</sup>The American Legion Resolution No. 312 (2016): Eliminate Delimiting Dates for the Montgomery GI Bill and Post-9/11 GI Bill

Section 112 prorates the monthly housing allowance for the portion of the month the servicemember is not on active duty by amending Title 38, U.S.C. to clarify the eligibility for monthly stipends paid under the Post-9/11 Educational Assistance Program for certain members of the reserve components of the Armed Forces.

Many reservists are required to routinely perform their jobs in a Title 10 status due to their specific job requirements and functions. These commonly include aircrew, intelligence personnel, and Unmanned Aerial Vehicle and Remote Piloted Aircraft operators. While not in a drill status, or if in a drill status under Title 38, an individual is entitled to their monthly housing allowance (MHA) and book allowance. When the drill status is under Title 10, the individual is entitled to the MHA and book allowance, but only for the first portion of the month up to when they entered active duty under Title 10. Therefore, if an individual goes on active duty on the first day of the month for three days, the individual does not receive any MHA or book allowance for the rest of that month. Just one day of Title 10 service can result in forfeiture of MHA and book allowance for all or most of the month. In order to maintain combat readiness, many reservists have to commit to a minimum of four training days per month in a Title 10 status. Many reservists are also full-time students and rely on their MHA to pay rent, but as a result of the current rules, they are denied their full MHA and book allowance, causing many members to incur thousands of dollars of debt. This is compounded by the fact that members of the reserve are used more frequently due to the increased tempo of operations around the world.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the GI Bill, Department of Defense Tuition Assistance (TA), Higher Education Title IV funding (i.e., Pell Grants, student loans, etc.) and education benefits so servicemembers, veterans, and their families can maximize its usage.<sup>18</sup>

#### **The American Legion supports Section 112.**

#### **Section 113. Improvement of information technology of the Veterans Benefits Administration of the Department of Veterans Affairs**

This section would compel the Secretary of Veterans Affairs to make changes and improvements to the information technology system of the Veterans Benefits Administration to ensure that all original and supplemental claims for education assistance are handled electronically. This draft bill authorizes \$30 million to the Secretary of Veterans Affairs to carry this out during fiscal years 2017 and 2018.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>19</sup>

#### **The American Legion supports Section 113.**

#### **Section 114. Department of Veterans Affairs High Technology Program**

Section 114 would direct the Secretary of Veterans Affairs to carry out a pilot program allowing student veterans to attend approved non-traditional educational programs with a focus on obtaining technology micro-degrees. While the VA has the authority to cover costs of non-traditional educational programs, we have seen in the past that this approval process has been burdensome. It is important for the VA to address new forms of non-traditional learning as the realm of higher education evolves.

Technological micro-degrees are non-traditional degree programs that focus on specialized technology disciplines and typically comprises an accelerated education model. Veterans are prime candidates for the technological degree programs and can see their entire education covered using their earned GI Bill benefits. Currently, there are only a handful of non-traditional organizations offering classes through the current VA GI Bill process; even fewer offer non-traditional technology programs forcing veterans to cover these costs on their own.

The American Legion supports efforts in expanding educational assistance to non-traditional students attempting to find employment by earning a micro-degree in a specific field of study and applauds the Committee on its efforts to expand education to non-traditional student veterans. Although The American Legion supports the intent, we have concerns with Section 114.

<sup>18</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>19</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

Oversight is needed before the VA can approve a non-traditional program and the State Approving Agencies (SAAs) are best equipped to certify these educational courses. Additionally, the provisions of this bill fall outside the scope of established resolutions of The American Legion. As a large, grassroots organization, The American Legion takes positions on legislation based on resolutions passed by the membership. With no resolutions addressing the provisions of the legislation, The American Legion is researching the material and working with our membership to determine the course of action which best serves veterans.

**The American Legion has no current position Section 114.**

**Section 201. Work-Study Allowance**

This section would extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs.

The VA Work-Study program provides part-time employment to students receiving VA education benefits who attend school three-quarter time or more. The student may work at the school veterans' office, the VA Regional Office, or at approved State employment offices. Work-study students are paid either the State or Federal minimum wage, whichever is greater. Many student veterans use the work-study program as a supplement to pay their bills and other costs not covered by VA educational programs. In addition to supporting veterans education benefits processing, these student veterans are also establishing connections with their peers on campus, thereby fostering greater awareness of other veterans.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>20</sup>

**The American Legion supports Section 201.**

**Section 202. Duration of educational assistance under survivors' and dependents' educational assistance program**

Section 202 would reduce the months of eligibility for Chapter 35, Survivors and Dependents Assistance from 45 months to 36 months. However, the provision in this section of the draft bill falls outside the scope of established resolutions of The American Legion. As a large, grassroots organization, The American Legion takes positions on legislation based on resolutions passed by our membership. With no resolutions addressing the provisions of the legislation, The American Legion is researching the material and working with our membership to determine the course of action that best serves veterans.

**The American Legion has no current position on Section 202.**

**Section 203. Increase in amounts of educational assistance payable under survivors' and dependents' educational assistance program**

Section 203 would increase education benefits for survivors and dependents (Chapter 35), which currently provides the least payable educational assistance of any VA program. Currently, Chapter 35 recipients are paid at the monthly rate of \$788 for full-time, \$592 for three-quarter-time, or \$394 for half-time pursuit of education. This is in stark contrast to Montgomery GI Bill payments, which receive \$1,857 for full-time, \$1,392.75 for three-quarter time, and \$928.50 for half-time enrollment. While survivors and dependents of servicemembers who died in the line of duty are eligible for the Post-9/11 GI Bill through the Gunnery Sergeant John Fry Scholarship, survivors and family members of veterans who are permanently and totally disabled due to a service-related condition or of veterans who died outside the line of duty have a right to demand more equitable benefits.

However, the provision in this section of the draft bill falls outside the scope of established resolutions of The American Legion. As a large, grassroots organization, The American Legion takes positions on legislation based on resolutions passed by our membership. With no resolutions addressing the provisions of the legislation, The American Legion is researching the material and working with our membership to determine the course of action that best serves veterans.

**The American Legion has no current position on Section 203.**

**Section 301. State Approving Agency Funding**

<sup>20</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education



State Approving Agencies are responsible for approving and supervising programs of education for the training of veterans, eligible dependents, and eligible members of the National Guard and Reserves. SAAs grew out of the original GI Bill of Rights from 1944. Though SAAs have their foundation in Federal law, SAAs operate as part of state governments. SAAs approve programs leading to vocational, educational or professional objectives. These include vocational certificates, high school diplomas, GEDs, degrees, apprenticeships, on-the-job training, flight training, correspondence training and programs leading to required certification to practice in a profession.

In accordance with the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016, SAAs are now recognized as a valuable addition to the approval process of GI Bill schools. The SAAs ensure that programs meet certain eligibility criteria, in order to see that GI Bill funds are not wasted. Their unique focus on how GI Bill funds are spent makes their mission distinct from all other oversight and approving bodies.

In order to fulfill their additional requirements for compliance reviews, additional funding is required. The SAAs have far more complex responsibilities than the across the board certifications that existed pre Post-9/11 GI Bill, yet the SAAs funding has not increased since 2005. In order to rectify this with their greater responsibilities, this draft bill authorizes \$3 million to be appropriated for each fiscal year.

The American Legion believes the \$3 million increase is not adequate to cover the SAAs overall scope and encourages Congress to allocate \$5 million annually for the SAAs.

Resolution No. 304: Support Accountability for Institutions of Higher Education supports any legislative proposal that provides additional resources and increased funding for state approving agencies.<sup>21</sup>

**The American Legion requests that this section be amended to authorize \$5 million to be appropriated for each fiscal year.**

**Section 302. Authorization for use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning**

Section 302 authorizes veterans to use their GI Bill education benefits to continue their education for independent study programs at career technical education (CTE) centers.<sup>22</sup> In Oklahoma alone, veterans have lost access to over 200 accredited educational programs, simply because there is a distance learning or online component. This section would allow veterans to take independent study programs at CTE centers while using their GI Bill benefits.

This section would provide student veterans with an expanded scope and usage of the Post-9/11 GI Bill education benefits to other forms of postsecondary institutions. This potential legislation adds needed options to student-veterans in the pursuit of their educational goals.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>23</sup>

**The American Legion supports Section 302.**

**Section 303. Provision of information on priority enrollment for veterans in certain courses**

This section would require that a school's priority enrollment policy be cataloged by the VA and added to its comprehensive policy on providing education information to veterans. With limited months of eligibility, many veterans can benefit from priority registration that would allow them to finish their degrees before their benefits expire. However due to the inherent complexities and diversity of priority enrollment across school types, The American Legion has cautioned against mandating veteran priority enrollment without the direct consultation of the National Association of Veterans' Program Administrators.

Section 303 doesn't mandate priority enrollment but rather mandates that the VA collect information on the schools that provide it. This information can be shared with veterans through numerous outlets, most prominently it's GI Bill Comparison

<sup>21</sup>The American Legion Resolution No. 304 (2016): Support Accountability for Institutions of Higher Education

<sup>22</sup>Congressman Mullin Press Release: <http://mullin.house.gov/news/documentsingle.aspx?DocumentID=447>

<sup>23</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

tool. This would help veterans become better-informed consumers as they pursue their educational goals.

Resolution No. 327: Support Further Assessment and Evaluation of Institutions of Higher Learning to Enable Veterans to Make Informed Education Choices supports oversight and legislation evaluating post-secondary education institutions on quality factors.<sup>24</sup>

#### **The American Legion supports Section 303.**

#### **Section 304. Limitation on use of reporting fees payable to educational institutions and sponsors of programs of apprenticeship**

This section increases the school reporting fee to \$16 for each veteran, or dependent enrolled under Chapter 31, 33, 34, or 35. The importance of this in a historical context is important to remember. Reporting fees were designed to streamline efficiency, with the VA paying schools to certify benefits themselves instead of hiring additional employees to process the benefits. Since 2012, this fee has fluctuated between \$10 and \$16. Without speculating on the reasons for these changes, it is fair to say that they are not commensurate with the actual labor of schools administering these programs.

While the reporting, reconciliation and overall cost of administering all programs has increased, and the burden on the educational institution is not business as usual, the added work effort has not been calculated. Also, the use of these fees should be designated to support the Office of Veterans' Affairs/Services and for professional development of the school VA Certification Officials and other Veterans' Program Administrators. The American Legion further propose that recipients of this reporting fee must match these funds to support veterans' services.

However, it has been difficult to track how schools are using these funds. This section addresses this by mandating what shall be utilized solely for the making of certifications required under title 38. It also mandates that institutions certifying over 100 enrollees may not use school reporting fees for general operating funds.

Resolution No. 333: Support Increase in Reporting Fees for Educational Institutions supports any legislation that increases the amount of the reporting fees payable to educational institutions for certifying officials who assist/enroll veterans receiving educational benefits from the Department of Veterans Affairs.<sup>25</sup>

#### **The American Legion supports Section 304.**

#### **Section 305. Training for School Certifying Officials**

The Department of Veterans Affairs identified \$416 million in Post-9/11 GI Bill overpayments in the 2014 fiscal year, affecting approximately one in four veteran beneficiaries and about 6,000 schools. To identify the reasons behind this, the Government Accountability Office (GAO) was asked to review these overpayments and published an extensive report released in October of 2015. Chief among GAO's recommendations was granting VA explicit authority to require training for school officials.

Schools cause overpayments when they make processing errors, such as reporting the wrong enrollment dates or billing VA for non-allowable fees. VA estimated that these errors account for 8% of high-dollar overpayment cases in fiscal years 2013 and 2014, while GAO estimated that they account for around \$28 million of the \$280 million in high-dollar overpayments VA made in the 2014 fiscal year. According to interviews with staff from VA's Regional Processing Office and Debt Management Center, school officials without adequate training were cited as the primary source of the errors.

This section will require the Secretary of Veterans Affairs, in consultation with the State Approving Agencies, to set forth requirements to train school certifying officials on proper standards for certifying veterans benefits.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the GI Bill, Department of Defense Tuition Assistance (TA), Higher Education Title IV funding (i.e., Pell Grants, student loans, etc.) and education benefits so servicemembers, veterans, and their families can maximize its usage.<sup>26</sup>

<sup>24</sup>The American Legion Resolution No. 327 (2016): Support Further Assessment and Evaluation of Institutions of Higher Learning to Enable Veterans to Make Informed Education Choices

<sup>25</sup>The American Legion Resolution No. 333: Support Increase in Reporting Fees for Educational Institutions

<sup>26</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

**The American Legion supports Section 305.**

**Section 306. Extension of authority for Advisory Committee on Education**

Section 306 extends the authority of the VA Advisory Committee on Education from December 31, 2017, to December 31, 2022. This committee provides the VA independent analysis and advice on VA programs and has proven to be an important part of streamlining the implementation of changes to the GI Bill by taking into account effects on the ground.<sup>27</sup>

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the GI Bill, Department of Defense Tuition Assistance (TA), Higher Education Title IV funding (i.e., Pell Grants, student loans, etc.) and education benefits so servicemembers, veterans, and their families can maximize its usage.<sup>28</sup>

**The American Legion supports Section 306.**

**Section 307. Department of Veterans Affairs provision of on-campus education and vocational counseling for veterans**

VA created the Veterans Success on Campus (VSOC) program as a pilot in 2009 to bring Vocational Rehabilitation Counselors and VA Vet Center Outreach Coordinators to college campuses with large veteran populations. The program began as a pilot on the University of South Florida campus and has since expanded to over 94 schools across the country.<sup>29</sup>

The VSOC program is a positive resource for student veterans and their dependents as they attend school through either the GI Bill or VA's Vocational Rehabilitation and Employment (VR&E) program, and gives individuals on-campus access to all-encompassing counseling programs.

Authorizing on-campus educational and vocational counseling is a tried and true method of increasing veterans' educational success. However, The American Legion has concerns about its sustainability. Since VSOC is currently implemented by VA policy and not a statutorily required program, its future is dependent on VA funding. This section would require the Secretary to provide these services at institutions of higher learning selected by the Secretary and would codify the VSOC program.

The American Legion would also like to see the same education and vocational counseling before a veteran enters into the education realm. The best time to instruct a transitioning servicemember about their future in education and the workforce is before they transition out of the military. We strongly recommend applying this same language to the Transition Assistance Program.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.<sup>30</sup>

**The American Legion supports Section 307.**

**Section 308. Provision of information regarding veteran entitlement to educational assistance**

School certifying officials and veteran program administrators are natural mentors to student veterans as they help them process their benefits and navigate higher education. However, by statute, they are missing a critical component necessary to accurately counsel veterans on their educational choices: the remaining benefits the veteran is entitled to. Without this information, the officials capacity to assist student veterans is greatly diminished, and could potentially lead to student veterans taking on unnecessary debt to complete their degree programs. Through the information sharing proposed in Section 308, these school officials can help student veterans chart the most efficient and cost-effective ways to utilize their benefits.<sup>31</sup>

<sup>27</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>28</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>29</sup>U.S. Department of Veterans Affairs: <http://www.benefits.va.gov/vocrehab/vsoc.asp>

<sup>30</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

<sup>31</sup>The American Legion Resolution No. 318 (2016): Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.

**The American Legion supports Section 308.**

**Section 309. Treatment, for purposes of educational assistance administered by the Secretary of Veterans Affairs, of educational courses that begin seven or fewer days after the first day of an academic term**

The VA defines a calendar week as Sunday to Saturday. According to the School Certifying Official Handbook, classes that begin "after the first calendar week" should be reported separately using the actual date each class starts. As an example: if a term starts on a Thursday, any course that meets for the first time on Thursday or Friday can be reported together, but if a course meets for the first time the following Monday, Tuesday or Wednesday it must be reported as a separate and unique term.

This creates excess work for educational institutions and regional processing officers (RPOs). Separate book and tuition fee payments must be issued, which may lead to improper payments. Section 309 will define "Calendar Week" for education benefits as "the seven-day period beginning on the first day of the institution's published academic calendar," and will reduce excess work and eliminate opportunities for errors in tuition and fee calculations.

Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education supports any legislative proposal that improves the Post-9/11 GI Bill.

**The American Legion supports Section 309.**

**Section 401. Eligibility of reserve component members for Post-9/11 Educational Assistance**

In the 2012 National Defense Authorization Act, authorization 12304b was created under Title 10, which allowed reserve-component troops to meet the challenges around the globe by mobilizing without counting against caps on active forces. While this is critical to maintaining our national security, existing statutes do not recognize the service of Reservists and National Guardsmen called to mobilize on these orders.

According to Title 38 of the U.S. Code, these individuals did not serve on "active duty." Even though these troops served side-by-side with Active Duty servicemembers, reservists deployed under these orders are therefore denied benefits earned for deployments including healthcare (pre- and post-mobilization), retirement age reduction, pay differentials, and eligibility for the Post-9/11 GI Bill.

Section 401 corrects these oversights by amending U.S.C. Titles 5, 10, and 38 to include §12304b mobilization authority in determining eligibility for all servicemembers who have mobilized under these orders.

Resolution No. 20: GI Bill Fairness for Wounded Servicemembers and Activated National Guard and Reservists supports any legislative proposal that provides amendments to U.S. Code Titles 5, 10, 37 and 38 commensurate with U.S. Code Title 10 authorized service, such as 12304b and 12301(h), that grant Post-9/11 GI Bill benefits.<sup>32</sup>

**The American Legion supports Section 401.**

**Section 402. Time limitation for training and rehabilitation for veterans with service-connected disabilities**

Section 402 would apply the same 12304b corrections listed in Section 401 to Chapter 31, Vocational Rehabilitation and Employment.

Resolution No. 20: GI Bill Fairness for Wounded Servicemembers and Activated National Guard and Reservists supports any legislative proposal that provides amendments to U.S. Code Titles 5, 10, 37 and 38 commensurate with U.S. Code Title 10 authorized service, such as 12304b and 12301(h), that grant Post-9/11 GI Bill benefits.<sup>33</sup>

**The American Legion requests that this section be amended to provide retroactive application to 12304b service.**

<sup>32</sup>The American Legion Resolution No. 20 (2017): GI Bill Fairness for Wounded Servicemembers and Activated National Guard and Reservists

<sup>33</sup>The American Legion Resolution No. 20 (2017): GI Bill Fairness for Wounded Servicemembers and Activated National Guard and Reservists

**Section 501. Repeal inapplicability of modification of basic allowance for housing to benefits under laws administered by Secretary of Veterans Affairs**

In 2014, Congress voted to reduce the BAH rate of Active Duty servicemembers by 5%. According to 38 U.S. Code § 3313, the monthly stipend for the Post-9/11 GI Bill equals as follows: the monthly amount of the basic allowance for housing payable under section 403 of title 37 for a member with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the institution of higher learning at which the individual is enrolled.

In other words: when the DoD made their adjustments to the BAH rate, it should have followed that the GI Bill was adjusted as well. Instead, a temporary exemption was placed on Chapter 33 beneficiaries. Based on the language that was drafted it is clear that this waiver could not continue in perpetuity, but instead could be lifted so that the reduction could be used as an offset in future years for veterans programs. In the last Congress S.2921, the Vets First Act included this reduction as an offset for fixes to veterans programs including 12304b and 12301(h) orders. That bill never passed, but the exemption was allowed to remain in the 2017 NDAA to again be considered for investment in veterans programs. Based on the present statutes, it is close to a certainty that if legislation is not passed to invest these funds in Title 38 funding the same language will be applied to either towards deficit reduction or the Department of Defense's budget request.

This provision in this section of the draft bill falls outside the scope of established resolutions of The American Legion. As a large, grassroots organization, The American Legion takes positions on legislation based on resolutions passed by our membership.

**The American Legion supports this section as a necessary provision to ensure the passage of the preceding improvements to Title 38 education benefits.**

### Conclusion

The American Legion thanks this committee for the opportunity to elucidate the position of the over 2.2 million veteran members of this organization. For additional information regarding this testimony, please contact Mr. Larry Lohmann, Assistant Director of the Legislative Division at The American Legion, at (202) 263-5755 or [LLohmann@legion.org](mailto:LLohmann@legion.org).

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Ashlynn Haycock

### TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS (TAPS)

Tragedy Assistance Program for Survivors (TAPS) is the national organization providing compassionate care for the families of America's fallen military heroes. TAPS provides peer-based emotional support, grief and trauma resources, grief seminars and retreats for adults, 'Good Grief Camps' for children, case work assistance, connections to community-based care, and a 24/7 resource and information helpline for all who have been affected by a death in the Armed Forces. Services are provided to families at no cost to them. We do all of this without financial support from the Department of Defense. TAPS is funded by the generosity of the American people.

TAPS was founded in 1994 by Bonnie Carroll following the death of her husband in a military plane crash in Alaska in 1992. Since then, TAPS has offered comfort and care to more than 70,000 bereaved surviving family members. For more information, please visit [www.TAPS.org](http://www.TAPS.org).

TAPS currently receives no government grants or funding.

### Ashlynn Haycock

Ashlynn Haycock is currently the Senior Coordinator for Education Support Services for Tragedy Assistance Program for Survivors (TAPS). She is the surviving daughter of US Army SFC Jeffrey Haycock, who died in the line of duty in 2002, and US Air Force Veteran Nichole Haycock, who died by suicide in 2011. She graduated from American University with a Bachelor's degree in Political Science in 2013. While at American University she was one of the first recipients of the Marine Gunnery Sergeant John Fry Scholarship.

Ashlynnne has been involved with TAPS as a survivor for over 15 years. She has been on staff with TAPS for four years and was instrumental in creating the TAPS Education Support Services program and online education portal. She is an experienced professional in all areas of education benefits for surviving children and spouses at the federal, state and private levels. Ashlynnne is regularly invited to participate in forums focusing on veteran and survivor education benefits. She has assisted over 1,500 survivors in accessing education benefits worth over \$100 million in assistance since 2013. Ashlynnne was highly involved in growing the partnership with the Department of Veterans Affairs in 2014 to create a Memorandum of Agreement which was recently expanded in 2017.

Chairman Roe, Ranking Member Walz and distinguished members of the Veterans Affairs Committee, the Tragedy Assistance Program for Survivors (TAPS) thanks you for the opportunity to make you aware of issues and concerns of importance to the families we serve, the families of the fallen.

While the mission of TAPS is to offer comfort and support for surviving families, we are also committed to improving support provided by the Federal government through the Department of Defense (DoD) and the Department of Veterans Affairs (VA), state governments and local communities for the families of the fallen—those who fall in combat, those who fall from invisible wounds and those who die from illness or disease.

We thank you for the provisions included in the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016 including the expansion of eligibility for the Marine Gunnery Sergeant John David Fry Scholarship for spouses and clarification of eligibility for in-state tuition benefits for those using the Fry Scholarship. We are grateful for the Committee's focus on improving survivor benefits.

We are most appreciative of the opportunity to comment on provisions included in the Harry W. Colmery Veterans Educational Assistance Act of 2017.

TAPS would like to recognize the outstanding support we receive from the Department of Veterans Affairs (VA) on behalf of the survivors we serve. For several years we were honored to have a Memorandum of Agreement (MoA) with the education specialists in the office of Economic Opportunity in the Veterans Benefits Administration enabling TAPS and the VA to work most efficiently in solving problems that surviving spouses and children encountered while accessing their VA education benefits. This relationship also allowed the VA to discover areas where policy or procedural processes could be improved so they could serve survivors more effectively.

The VA Office of Survivor Assistance, including director Moira Flanders and her staff, works closely with TAPS to answer questions and concerns that are raised by surviving family members. We also appreciate the opportunities provided by the DoD/VA Survivors Forum, held quarterly, which works as a clearinghouse for information on government and private sector programs and policies affecting surviving families. This is ably facilitated by Craig Zaroff of the VA Benefits Assistance Service.

TAPS was recently honored to enter into a new and expanded Memorandum of Agreement with the Department of Veterans Affairs. VA Secretary Shulkin and TAPS President Bonnie Carroll signed the MOA on April 12 at a ceremony attended by many of the same survivors who will benefit from it. This agreement formalizes what has been a long-standing, informal working relationship between TAPS and the VA. The services provided by TAPS and VA are complimentary, and in this public-private partnership each will continue to provide extraordinary services through closer collaboration.

Under this agreement, TAPS continues to work with surviving families to identify resources available to them both within the VA and through private sources. TAPS will also collaborate with the VA in the areas of education, burial, benefits and entitlements, grief counseling and other areas of interest.

### **Education Benefits**

TAPS appreciates the attention that the Committee has paid to making sure that veterans and surviving family members have access to quality education. Surviving family members using their education benefits often fall prey to many of the same challenges facing veterans using their benefits, whether it be unscrupulous recruiting practices or questionable and confusing financial aid packages. TAPS is proud to work with other organizations, including the American Legion, Veterans of Foreign Wars, Veterans Education Success, Student Veterans of America and the Department of Education to ensure that safeguards are in place to protect all recipients of education benefits from the VA.

Indicative of the specialized support that TAPS provides is the education portal and individualized support on the education benefits available for the children and

spouses of America's fallen heroes. TAPS staff members work with each individual to maximize the financial support they can receive to complete their education from both government and private agencies.

#### **Working to Improve the GI Bill and the Fry Scholarship**

Most beneficial in the early months of the 115th Congress have been a series of meetings between the Economic Opportunity Subcommittee members, committee staff from both the House and Senate, and interested parties from the Veterans Service Organizations (VSOs), Military Service Organizations (MSOs), Military Family Organizations (MFOs) and Higher Education Associations. These meetings prompted in depth discussions on how the GI Bill and Fry scholarship could be improved, in a forum where all opinions were welcome. We appreciate that improvements discussed for education benefits for survivors included:

- expansion of the Yellow Ribbon Program to surviving spouse and children,
- increases to the amount of the tuition assistance provided by the VA's Dependents Educational Assistance program, and
- technical corrections to allow a realignment of transferred GI Bill benefits after the veteran has passed away or if the beneficiary has passed away.

Expanded discussions in informal forums bring all organizations in on solving the problems and raise alternatives and possible solutions that could not be discovered alone. We hope these dialogues continue.

We join with our partner organizations specifically in support of:

- Full eligibility under Post-9/11 Educational Assistance Program for members of the Armed Forces awarded the Purple Heart
- Eligibility for the Post-9/11 Education Assistance Program for those who served on active duty under section 12304(a), 12304(b) and 12301(h) orders.
- Restoration of entitlement to educational assistance and other relief for veterans affected by school closure or disapproval.

#### **Expansion of the Yellow Ribbon Program**

TAPS supports extending eligibility for the Yellow Ribbon program, which allows approved institutions of higher learning and the VA to partially or fully fund tuition and fee expenses that exceed the established thresholds under the Post-9/11 GI Bill to those survivors eligible for the Marine Gunnery Sergeant John Fry Scholarship.

We hear from surviving family members about the importance of the Yellow Ribbon program:

##### **From Emily McClimans, surviving child**

As a child of a fallen soldier that attends a school that accepts the Yellow Ribbon Program, I was ecstatic. I was so excited that there was a program to cover the hefty expenses that were not covered with the Fry Scholarship. Unfortunately, I was denied the Yellow Ribbon program because my father was killed in action and he's not currently serving. I, as a student of TCU, attend college alongside children of active duty servicemembers that have no worries as to how they're going to pay for their college education. If the Yellow Ribbon Program was extended to support children of fallen soldiers, I wouldn't have to worry about my education or whether or not I'll have enough funds for the next semester. Children of fallen soldiers deserve to not be overlooked, as our fathers and mothers are just as significant as those who are currently fighting. Having the opportunity to be sponsored by this program would alleviate stress and allow me to know that my family is just as important as the families with parents still fighting in the war.

##### **From Stephanie Orasing, surviving spouse**

I have been a military widow since 2005. When my husband passed away I had a 7-month-old, 3-year-old, and a 6-year-old son. I have had to put many things on hold so that I could be there for my kids and raise them. Now that they are 12, 15, & 18, I feel it is time for me to go to school to get my degree so that I can show my kids that education is important. I have spent the past 1 year & 9 months attending a community college in the area and I will graduate with my Associates of Applied Science degree next month. But the closest University or College is 30 minutes away and it is private. I have applied to this university but the tuition is \$30,000. I have been accepted but I am filling the paper work for financial aid because I don't know if I can do it financially. I am grateful for the Fry Scholarship that will pay \$21,000 but there is a remaining balance of \$9,000 that I must take a loan out for and I have spent my life raising my kids and don't even have a job to pay back this loan. I would appreciate the Yellow Ribbon program if they would

consider helping military widows out so that we may have the chance to attend school and not have to have a financial burden held over our head.

**From LaNita Herlem, surviving spouse**

Concerning the Yellow Ribbon, one of the issues I ran into was when I received the Fry Scholarship (which is VERY much appreciated!), I immediately wanted to get my masters in political science but none of the NC state schools near me offered it. I even looked at several around the state, which would have meant moving, but the closest I could get was Public Administration which is not what I am interested in. Private schools within driving distance did offer what I wanted but being nearly 50, I am not interested in having a mortgage-sized school loan, nor can I afford to pay it anyway. So I decided to take business classes at the local community college. Instead of a master's degree in political science, I will graduate next month with an associate degree in business which in reality means very little. . If I had access to the Yellow Ribbon program, I would have had the option of considering a private school and getting the degree I wanted.

**Waiver for Distribution of the Transferred Post -9/11 GI Bill Benefits**

TAPS supports a technical correction for transferred GI Bill Benefits. If a service member transfers their GI Bill while alive and subsequently passes, no change in the number of months of the benefit amount allotted each family member can be made. If the service member or veteran were still living, they could adjust the number of months allotted to each family member at will.

**From Coleen Bowman, surviving spouse**

I am the widow of SGM Robert Bowman. Realizing the importance of education, when the opportunity for transferring the Post 9/11 GI bill arose, my husband took advantage of the opportunity and designated myself and our 4 daughters to be recipients of the benefit, being told he could reapportion the benefit when the time for their education came about. Unfortunately, after exposure to environmental toxins, my husband succumbed to cancer in January 2013. Before he died, our then 13 year old daughter told him "Dad, I promise you I am going to go to college and do great things and make you proud." This daughter is now almost 18 years old, in her junior year of high school and doing very well. She is in the top 20 percent of her class and talks almost daily about how excited she is to go to college and the things she needs to do in order to get there.

I called the VA about 8 to 10 months ago and spoke to someone about changing the allotted months from one child to another, or myself to my daughters. We had 19 months of benefits that neither I nor her sister would use. I was told "The only person that can move the months of benefits around is the service member/veteran." I said "You do understand he passed away in 2013?" She said to me again "Yes, ma'am, I understand but again the only person who can move the months is Robert Bowman."

I was able to deal with all of my late husband's estate, I am entrusted with all financial benefits for our two youngest daughters, I certainly should be able to manage their education benefits as well. My hope is that this issue can be resolved and survivors like me will be able to have some relief of stress in this area.

**From Tammy McCracken, surviving spouse**

Colonel David McCracken served honorably in the Army and Army Reserves for over 20 years. During his military career, he was deployed multiple times; during his last tour he was activated as a reservist to deploy to the Middle East. Upon return from his deployment, he was diagnosed with brain cancer which was found to be service-connected by the VA because of the link to burn pit exposure in the Middle East. He was not on active-duty orders nor training at the time of his death due to illness, and his children are not eligible for the Fry Scholarship. As he already had a Masters degree, Col. McCracken knew he was never going to use his own GI Bill benefits so when transferability became an option he immediately transferred it to his 2 young children. He transferred 35 months to his son and 1 month to his daughter thinking he could go back and split it as they needed it later, but because he died of wounds from his service it is stuck split that way. Col. McCracken's son, Connor has received an ROTC scholarship to Embry-Riddle Aeronautical University and would like to give all 35 of his months to his sister to use but because only the service member can make adjustments to the amount of months each dependent receives, Connor will have to let the 35 months he has go to waste.

The technical fix would be to allow survivors of those who had transferred the GI Bill and passed to adjust the months amongst those designated. In discussion



with committee staff, the quandary of who should decide on the division was raised. We suggest it could be up to the current possessor of the benefit to determine if and how many months would be transferred. This will also only impact those already listed as transferees; no new transferees could be added.

TAPS also supports the authorization of the transfer of unused Post-9/11 Educational Assistance benefits to additional dependents upon the death of the originally designated dependent.

#### **Improve Chapter 35 Survivors' and Dependents' Educational Assistance (DEA) and other Educational Benefits**

Not all survivors are eligible for the Fry scholarship. Survivors of those veterans who die of a service connected disability or dependents of those who are 100 percent disabled are eligible for support through the Dependents' Educational Assistance (DEA) program. Current payments for the DEA benefits have not been increased when there have been significant increases to the Montgomery GI Bill or Post 9/11 GI Bill benefits. While increases to the DEA payment are increased each year a percentage point or two when there is an increase in other federal benefits (i.e. Social Security, VA Dependency and Indemnity Compensation, VA Disability payments), the current payment of \$1,024 a month does not go far in covering ever spiraling tuition costs. We appreciate the proposed monthly increase to the DEA payment as a great start towards parity.

##### **From Carla Stumpf Patton, surviving spouse**

As a surviving family of an active duty Marine who died prior to 9/11, an increase in Chapter 35 benefits would make a dramatic difference in alleviating the financial strain associated with the increasing rates of college expenses for families of the fallen. Families like ours are often excluded from other funding programs that offer tremendous assistance to families post 9/11; on top of the loss we have experienced, this financial burden can be overwhelming. Because I was pregnant at the time of my husband's death and our child was born posthumously, it would be eighteen years before our child needed educational assistance and while there was some funding, it was not nearly enough to cover tuition rates associated with his school. We were excluded from other sources of funding either due to the date of death or due to the manner of death, leaving very few options for financial assistance other than private scholarships and having to take out large personal loans. Increasing the current benefit will address the cost of living and sky-rocketing college expenses our families are facing in the 21st century.

#### **Elimination of Time Limitation for Use of Entitlement**

TAPS supports the elimination of the arbitrary time limit for the use of the education entitlement. Many surviving spouses cannot use the educational benefit during the time they are raising minor children. This would allow them the freedom to pursue their educational goals once their children are older.

##### **From Jennifer Henderson, surviving spouse**

It would make a difference because I personally wouldn't feel rushed to get my master's out of the way and could think about my next move rather than jumping into something.

##### **From Shannon Galloway, surviving spouse**

Many of us, myself included had very small children when our husbands passed. My daughter was significantly delayed and has special needs on top of that. If I didn't have the time limit, I could go back and get my masters. Which was always a dream of mine.

##### **From Kathy Maiorana surviving spouse**

I became a widow at 28, with 3 kids and one on the way in 2003. The Fry scholarship was already a long shot for me because of the looming deadline for earlier post 9-11 widows. I have yet to be able to go back to school because I've been raising my children, alone. The elimination of the deadline would be a tremendous help to not only me but so many of my fellow widows/widowers.

TAPS is grateful for the committee's consideration of the proposed legislation. This legislation protects and expands survivor benefits, creates new and innovative programs for veterans and helps sustain the GI Bill for a new generation of service members.

**It is the responsibility of the nation to provide for the support of the loved ones of those who have paid the highest price for freedom. Thank you for allowing us to speak on their behalf.**

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**MEMBERS STATEMENTS FOR THE RECORD**
**Congresswoman Susan W. Brooks (IN-05)**

I'd like to thank Chairman Roe, Ranking Member Walz, and the members of the committee for their hard work on this bipartisan package that will reform and ultimately improve our veteran's access to GI Bill benefits. We owe a debt of gratitude to the brave men and women who served our country, and I'm proud that my bill, H.R. 1104, the Veterans To Enhance Studies Through (TEST) Accessibility Act, is included in this package.

The Veterans TEST Accessibility Act does just what its title implies—it provides our veterans with simpler, fairer access to tests. It fixes an outdated statute that hinders rather than helps our veterans use their GI Bill benefits to access tests like the SAT and prior learning assessments. Current law requires veterans to use a full month of their GI Bill eligibility to be reimbursed for licensing, certification and national tests, regardless of how much the test costs. Such tests open new doors to employment and allow veterans to advance and enhance their education and career. Given the relatively low cost of many tests, it often simply isn't worth it for veterans to lose potential reimbursement for an entire month of other educational expenses, like tuition. My bill fixes that. It allows veterans to be reimbursed for approved licensing, certification, and national tests, while still eligible to use their remaining GI Bill benefits for additional educational expenses in the same month.

Under the bill, a veteran can be reimbursed for an approved test at a pro-rated amount based on their percentage of coverage under the post-9/11 GI Bill. That is, they would only pay for the amount of the test and can still utilize the remaining eligibility they have to cover other educational expenses incurred that month.

Unemployment and underemployment continue to be a concern for young veterans especially, and a recent CareerBuilder survey found that 22 percent of veterans were underemployed and 20 percent were employed at low-paying jobs. Veterans have the skills and experience that colleges, universities, and employers are looking for, but face challenges that their civilian counterparts do not, including a lack of licensure or certification. This bill will give our veterans the tools they need to compete in the job market and help address veteran underemployment and unemployment. With this bill, veterans are able to take what they learned prior to and during their military service and use the benefits they have earned to advance their education and career.

I'm also thrilled that another bill I am an original cosponsor of, H.R. 1989, the VET TEC Act, introduced by Leader McCarthy, is included in this package. Current law allows veterans to access traditional education through the post-9/11 GI Bill, but the VET TEC Act empowers veterans to leverage new education models, for example, coding boot camps, to attain the technological skills needed in the 21st century workforce. Rapid technological advancements have created jobs that our veterans interested in careers in the technology economy can and should fill. Our veterans are well equipped to learn these skills and can help achieve the goal of closing the skills gap.

In closing, I'd like to again thank the Chairman, Ranking Member, and all of my colleagues who have contributed to this important piece of legislation. I'd also like to thank Congresswoman Rice for being my bipartisan co-lead on H.R. 1104. This bipartisan package will help our veterans gain access to the resources they need to make a life for themselves after returning to civilian life. As the number of post-9/11 veterans continues to grow, I am pleased that this bill is moving forward so that the millions of veterans currently eligible can access the benefits they have earned and deserve.

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**Honorable Raúl R. Labrador**

Thank you Chairman Roe and Ranking Member Walz for scheduling this hearing on the "Harry W. Colmery Veterans Educational Assistance Act of 2017," which includes my bill, H.R. 1112.

H.R. 1112 - the Shauna Hill Post 9/11 Education Benefits Transferability Act—is named in honor of a wonderful young woman whose untimely death revealed an oversight in education benefits for our veterans.

I met the Hill family in 2013, when I helped present them with a Congressional Bronze Medal Shauna posthumously earned for public service, personal development and physical fitness.

Shauna was busy working to qualify for a Congressional Silver Medal when she tragically died as a result of injuries suffered in an automobile accident in Idaho.

Shauna was a junior at Eagle High School when she died. It's the same school my children attend. Shauna aspired to attend Stanford University and become a doctor.

She was a competitive figure skater and ice dancer and played the violin in the Eagle High School Orchestra. She performed with the Orchestra at New York's Carnegie Hall. The accident occurred when Shauna was on her way home from orchestra practice.

Her organs were donated and her parents have met the woman who received Shauna's heart. The couple and Shauna's sister Haley have been honored with the Spirit of the Red Cross award in Idaho for overlooked heroism.

While presenting the Congressional Award, I learned that Shauna's father, Capt. Hill had retired shortly before her death. He served 28 years as a Navy pilot and flew to protect America during three combat tours.

In the months following the tragedy, Capt. Hill was working with the Navy in an attempt to reassign his benefits. He and his wife, Heidi, have a second child, Haley, who was also planning to go to college.

With almost three decades of distinguished service, Capt. Hill qualified for full utilization of the education benefit. But the Navy said Haley wasn't eligible because education benefits under the GI Bill can't be reassigned.

The Hills asked for my help and my staff got to work.

Unfortunately, we found that the Navy's hands were tied. The law doesn't allow the transfer of education benefits after a service member has retired. No waivers are permitted—even in such tragic cases.

I promised the Hills that I would seek a legislative remedy. The result is H.R. 1112.

My bill amends current law to permit reassignment of veterans' education benefits in cases where the designated beneficiary passes away.

Losing a child is the worst thing I can imagine.

Congress surely didn't intend to exclude the ability to transfer benefits to a surviving child or spouse when the designated beneficiary passes away before being able to use the benefits. We honor those who serve by clearing up this inconsistency and providing some small measure of relief.

Correcting this oversight will mean a great deal to the Hills. While the number of veterans' families affected won't be large, it will be a comfort to them and others facing such a terrible loss. It's the least we can do to show our gratitude.

I am grateful to my cosponsors and to Sen. Mike Crapo, who has introduced companion legislation in the Senate.

I also appreciate the support for this bill from several veterans groups including the Concerned Veterans for America, Military Order of the Purple Heart, Student Veterans of America, AMVETS, the Air Force Sergeants Association, Association of the United States Navy and the National Military Family Association.

Mr. Chairman, I have a statement from Shauna's father, Capt. Edward Hill, and ask that it be included in the record.

Thank you for including this important legislation in the bill being considered today. Mr. Chairman, I yield back.

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### Honorable David B. McKinley

After many years of effort and turns in the road, we are pleased the Harry W. Colmery Veterans Educational Assistance Act of 2017 will eventually become a reality for our Veterans. I want to thank this committee and its staff for all your hard work and diligence to get us to this point today.

The genesis for the new Edith Nourse Rogers Scholarship provided in the overall bill, was a result of listening to our Veterans. Since 2011, we held over 75 meetings with veteran's groups in West Virginia. At one such meeting, we heard how difficult it was for a veteran to make the shift from the military to the academic world. We also heard this was especially true when it came to STEM degrees. The rigor of the coursework along with simply finding lab time are all contributing factors to why it takes longer to achieve a STEM degree. By listening to our veteran constituents, we were able to take their idea and turn it into a piece of legislation that will help all veterans.

American businesses are looking for skilled employees who possess the scientific and math skills necessary to grow our economy. What better way to fill a high-tech

job than by helping a qualified veteran obtain the education they need to compete for these high paying positions

In today's economic environment, the high paying STEM majors will earn graduates an average mid-career salary of \$136,000. The tax revenue from STEM professionals will be greater than many other majors provide; this program will pay for itself in many aspects. Furthermore, STEM majors lead to careers considered "recession-proof" due to the high demand for STEM professionals in the marketplace. Filling great paying American jobs with veterans is a wonderful solution.

By continuing their education, and strengthening their skills, our veterans are investing in American's future. Military technical career training in areas such as, technicians, medics and corpsmen, engineers, logistics, operations, chemicals, nursing - all these and much more can translate into civilian jobs with training. There is no reason to waste the valuable training received in the military. This legislation will make it even easier.

Mr. Chairman, thank you once again for all your hard work.

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### **Honorable Markwayne Mullin**

Thank you Chairman Roe and Ranking Member Walz for your leadership on H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act of 2017. I'm grateful to this committee's for its bipartisan and bicameral work for our nation's veterans.

When our men and women in uniform dedicate their lives to service, they earn the right to a quality education that fits into their lifestyle when they return home.

Included in this legislative package is language from my bill, H.R. 43, which amends title 38, United States Code, to authorize veterans to use their GI Bill education benefits to continue their education with independent study programs at career technical education (CTE) centers.

In places like rural Oklahoma, this is huge for our veterans who aren't able to travel long distances to complete portions of their education. This would allow veterans to use their GI Bill benefits for independent study programs at Career and Technical Education centers - like online or distance learning - to complete their education.

Our veterans deserve our endless gratitude for the dedication and sacrifices they made for our country. We can start by ensuring that their GI Bill benefits can be applied in a way that works for them.

Thank you, Mr. Chairman and I yield back.

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### **Honorable Tim Ryan**

Chairman Roe, Ranking Member Waltz, I appreciate this opportunity to submit a statement for record celebrating this impressive legislation. I appreciate your hard work, and the hard work of the professional staff of the House Veterans Affairs Committee, in creating this bipartisan bill. The close coordination with our Veteran Service Organizations (VSOs) resulted in a stronger, more comprehensive, and better bill. Engaging our VSOs in crafting legislation that impacts our Veterans is common sense and sets the example for us as Congress to follow. This bill is named to honor Veteran, American Legion leader, and father of the GI Bill, Harry W. Colmery, and it truly meets that gold standard. One of our shared priorities is continuing the support of our Veterans' education goals, which helps reduce unemployment, underemployment, and homelessness for our Veterans.

I am pleased the Veterans Affairs Committee addressed the concerns I raised that institutions which offer priority enrollment should offer this benefit to our Veterans, servicemembers, and dependents. This bill directs the VA to provide transparency on which educational institutions offer priority enrollment for Veterans, by including a VA Comparison Tool. This provides additional information for those considering using the GI Bill to understand if the schools offer this valuable resource to support Veterans, military members, and family education.

This legislation is only the first step and I encourage all educational institutions to work with us in supporting Veterans, servicemembers and military families educational goals. Priority enrollment, also known as early registration, is a tool used in many universities to accommodate unique scheduling concerns for students, such as athletes, by allowing them to register for classes prior to open enrollment for all students. This prevents students from getting "locked out" of specialty classes with limited offerings or priority classes with restricted seats that are required for grad-

uation. It also allows the student to adjust their schedule to accommodate known scheduling needs.

If a university is offering priority enrollment to accommodate student athletes scheduling for weekend games, it is common sense that it should also accommodate scheduling concerns for those who defend our nation. We should be doing everything in our power to make it easier for our men and women in uniform to get a stress free, quality education. Active Duty, National Guard, and Reserve servicemembers rely on priority enrollment to complete their education while meeting the demands of serving our country. This enrollment allows our servicemembers to fit in the classes they need around their military commitments including full-time work, drill weekends, or a combination of these concerns. The opportunity to enroll before classes get full also allows the men and women of our armed forces to prioritize classes critical to their degree before transferring duty stations or deployments. Conversely, during an intense military operational period, the servicemember can stay enrolled in classes by being able to register for more flexible classes or subjects less challenging to the individual.

For servicemembers using the GI Bill for their spouse, priority enrollment is an important resource to aide us in the fight to stop the unemployment and underemployment for our military spouses. The unemployment rate for military spouses is three times as high as their counterparts. A 2013 survey of military spouse employment by Syracuse University determined 90% of female spouses were underemployed. A recent report by the Blue Star Families indicated the cost to the nation of unemployment and underemployment by military spouses is well over half of a billion dollars a year. If the servicemember elects to transfer their benefits, the spouse has similar unique concerns for scheduling as their active duty, Reserve, National Guard, and Veteran counterparts. These include fitting in classes around deployments, permanent change of duty stations, childcare needs, and supporting caregiving requirements for injured and ill Veterans. These family members who bear a substantial cost to support their servicemembers career are confronted with the same time crunch to fit in classes in the finite window of authorized benefits. We must support their opportunity to re-train in a field that suites their family needs and our country's need for their spouse's service.

I am grateful to be part of this bipartisan effort to support the unique needs of these men and women. The men and women who selflessly served our nation were promised an opportunity for higher education with the GI Bill, and this legislation would ensure that they can do so without delay and before their benefits expire. If a student Veteran is shut out of required course work prior to their benefits expiring, he or she may not be able to attain a degree or could be forced to pay tuition and fees out of pocket. If an educational program offers this benefit, I cannot think of a more deserving subset of students for this consideration than our active duty, reserve, National Guard, Veterans and dependent family members.

Mr. Chairman, Ranking Member O'Rourke, thank you again for this impressive legislation and for allowing me to submit this statement for the record.

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**Tom Porter, Legislative Director**

**of**

**Iraq and Afghanistan Veterans of America**

Chairman Roe, Ranking Member Walz, and Members of the Committee:

On behalf of Iraq and Afghanistan Veterans of America (IAVA) and our more than 425,000 members, thank you for the opportunity to share our views on the legislation under consideration today. For thirteen years, IAVA has been the preferred empowerment organization for Post-9/11 veterans. IAVA's "Big 4" Policy Priorities for the 115th Congress are to Fully Recognize and Improve Services for Women Veterans, Defend Veterans Education Benefits-particularly the Post-9/11 GI Bill, VA Reform, and Battling Military/Veteran Suicide.

I am pleased to offer our strong support for the Harry W. Colmery Veterans Educational Assistance Act of 2017 (H.R. 3218), which would significantly expand and improve the Post-9/11 GI Bill. We thank all those who worked to develop the provisions included in the bill and appreciate this opportunity to add remarks to the record of your July 17 hearing on the measure.

IAVA was a lead voice in enactment of the Post-9/11 GI Bill in direct response to the needs of our growing membership. After the Post-9/11 GI Bill gave our generation an educational benefit more in line with that of the "Greatest Generation"

we learned in time that some improvements were needed for today's veterans and worked closely with Members of Congress and a coalition of partners to develop and enact the "GI Bill 2.0."

We know that the Post-9/11 GI Bill will continue to be a focus of Congress for better or worse, and respectfully ask that our members' voices be given an appropriate seat at the table, as they've had in the past, and be invited to testify in person at future hearings that involve this important benefit.

In 2016, IAVA and other veteran service organizations fought hard to successfully defeat ill-advised Congressional attempts to pass new legislation to expand veterans programs by making cuts to the GI Bill. We then worked with others to block a proposal earlier this year that would have charged a user fee or a tax on new servicemembers to allow eligibility for their GI Bill. We now feel the Committee is on the most responsible path forward to filling important gaps in the benefit in addition to making holistic improvements to veteran education programs.

The payfor in this legislation is less than ideal, but given the totality of the components in the bill, IAVA considers the measure a net gain for veterans education. We understand that it makes sense to many that there not be separate housing allowance tracks for active military and those using the GI Bill. IAVA remains strongly opposed to previous action by Congress to reduce the military's housing allowance by 5%. We are forever indebted to our armed forces personnel and, as they remain deployed around the world in our name to unfriendly places, we should absolutely not be asking them to pay out of pocket for their housing. IAVA calls on you to work with your colleagues to restore the full housing allowance for our military.

IAVA supports or raises no objections to nearly all the components of the measure. Of the key provisions we support, we thank the committee for adding the Sec. 103 provision to provide Purple Heart recipients full GI Bill eligibility regardless of time served, and we appreciate the Sec. 108 provision to extend the Yellow Ribbon program to Fry Scholarship recipients. Those servicemembers and families who have sacrificed so much are well-deserving of these benefits.

Members of the Reserve and Guard components should not be treated differently from their active duty counterparts and precluded from earning Post-9/11 GI Bill eligibility or the Vocational Rehabilitation and Employment program when serving on certain active duty orders. Secs. 101, 401, and 402 remove this inequity and IAVA strongly supports their inclusion.

IAVA recognizes that some servicemembers may have certain obligations or life goals after separation from the military that preclude them from using their Post-9/11 GI Bill within the 15-year time limit. If a servicemember puts in the time and sacrifice to earn the full benefit, they should not be punished by having to make a "use it or lose it" decision because the government says he or she should. Sec. 111 is a welcome provision to ensure the ability to use the benefit when it is best for the veteran, not when it is best for the government.

IAVA remains concerned that many schools do not have veterans' education outcomes at heart when they recruit them and the generous education benefits they bring with them. When some of these for-profit schools close - sometimes mid-semester - it causes enormous disruptions and loss of GI Bill benefit for that semester for many student vets. This gap in the law is wrong and needs to be corrected. Sec. 107 makes this badly-needed correction. However we encourage the Committee to return the entire GI Bill benefit used at the closed school if the school's credits are not able to be transferred. If a veteran uses his or her GI Bill benefit at one of these failing schools, and as a result of that closure their credits are useless, the veteran should not be penalized.

In this same vein, a key change IAVA continues to support is closing the "90/10" loophole, which rewards poor-performing schools that intentionally target veterans for their education benefits. Currently, no more than 90% of a for-profit school's revenue can be generated by federal funds, thus requiring them to prove their value for the final 10% through the free market. However, because the law was written to exclude federal GI Bill benefits from the 90%, the legislative intent has not been realized and problems continue to persist, creating a loophole. This loophole could be closed by simply including VA and DoD education benefits in the category of "government funds." We strongly encourage the inclusion of such a provision.

Again, thank you for working to develop the Harry W. Colmery Veterans Educational Assistance Act of 2017. Please let me know if you have any questions about our position with regard to this legislation.

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**Kristofer Goldsmith**

**Assistant Director for Policy and Government Affairs**

**Vietnam Veterans of America (VVA)**

Chairman Roe, Ranking Member Walz, and other distinguished members of the Committee on Veterans' Affairs, on behalf of our National President John Rowan, our Board of Directors, and our membership, Vietnam Veterans of America (VVA) thanks you for the opportunity to present our views for the record concerning the legislation to be discussed at today's hearing.

Today the committee will discuss a bill meant to modernize and improve the Post-9/11 GI Bill, and hopefully come to agreement on the universal idea that our country should not leave behind any veteran deserving the support of our nation. It is the founding principle of VVA that Never Again Will One Generation of Veterans Abandon Another, which is why our members are so passionate about improving and protecting earned veterans' benefits that they will never use themselves. This founding principle has guided us to our three top priorities regarding the GI Bill, which we urge the committee to support as you work to improve this important transition benefit:

**1. Protect eligibility for the Post-9/11 GI Bill for all veterans with administratively rendered other than dishonorable discharges, as this benefit has been stolen from thousands of veterans who were denied eligibility without the due process rights of court martial;**

**2. Eliminate the arbitrary 15-year limit on usage of the GI Bill benefit, which punishes those veterans who struggle in their transition from service, and those who transition well then face unemployment or underemployment; and**

**3. Remove era-specific naming of educational programs so that the GI Bill is not destined to create disparities between current and future generations of veterans.**

**VVA GI Bill Priority 1: Protecting GI Bill Eligibility** - VVA urges congress to return the GI Bill to the spirit of the Servicemen's Readjustment Act of 1944, more popularly known as the "GI Bill of Rights," which protected the rights and benefits of all returning veterans. Sadly, in recent decades, more and more veterans have been allowed to fall through the cracks. According to 38 U.S. Code § 101 (2):

The term "veteran" is defined as an individual who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

Why, then, does this our country deny veterans with administrative discharges, who were never afforded the due process rights of courts martial, to be denied access to veterans benefits?

A GAO study, *Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations* (GAO-17-260: Published: May 16, 2017) revealed that 57,141 veterans, representing 62 percent of veterans separated for misconduct between 2011 and 2015, had before separation been diagnosed with a mental health condition such as PTSD or TBI. According to the GAO report, nearly 15 percent of all of the soldiers who left the Army in 2011 did so with no GI Bill eligibility. Each of these veterans not only carries the stigma of having received a "bad-paper" discharge, but nearly all are prevented from utilizing the most important transition benefit, the GI Bill. Worse yet, 13,283 of those veterans received Other-than-Honorable discharges, and won't have access to nearly any basic VA service until some reach the point of suicidality. This is a national tragedy that must immediately be addressed by this Congress.

**VVA GI Bill Priority 2: Elimination of the arbitrary 15-year limit on eligibility** - We thank the committee for including this top VVA priority in H.R. 3218, and will discuss this below.

**VVA GI Bill Priority 3: Era-specific naming** - We will address this issue in the next section.

H.R. 3218, the "Harry W. Colmery Veterans Educational Assistance Act of 2017"

**Section 1. Short Title**

This section cites the short title of HR 3218, bill as the "Harry W. Colmery Veterans Educational Assistance Act of 2017."

The name of this bill is righteous in that it memorializes Harry W Colmery, the American Legion National Commander credited with authoring the original GI Bill. VVA seeks a return to the spirit of Colmery's 1944 "GI Bill of Rights," which both empowered and protected veterans as they transitioned from military service.

VVA strongly supports efforts to rebrand the GI Bill so that it is not, in the minds of Americans, "a wartime benefit," and that it is instead an essential component of service in the United States military. After all, the United States has not officially declared war since 1941, when it declared war against Japan as a response to the attack on Pearl Harbor. Technically speaking, the conflicts in Korea, Vietnam, Iraq, Afghanistan, and now Syria are "extended conflicts." In these times there are no front lines, terrorists can strike at any time and any place, and as a result, today and tomorrow's Active Duty, Reservist and National Guard troops and veterans are done a disservice when the name of the GI Bill implies it is for specific engagements. This erroneous perception is part of the reason why there are already loopholes in the GI Bill that makes modernization efforts increasingly necessary. VVA urges the committee to take preventive measures against the opening of future loopholes by correcting the GI Bill in name and function, so that it is a benefit for service for all veterans who have chosen to enlist in the military, knowing full well the unpredictable nature of world events, emergencies and conflicts.

Congress should strike from Title 38 the phrase "Post-9/11" from GI Bill educational benefits wherever possible. The Department of Veterans Affairs should be instructed to remove "Post-9/11" and other era-specific branding from regulation, websites and literature regarding educational benefits in order to preserve the GI Bill for future generations of veterans.

**Section 101. Consideration of Certain Time Spent Receiving Medical Care from Secretary of Defense as Active Duty for Purposes of Eligibility for Post-9/11 Educational Assistance.**

This section would add time spent on active duty under orders authorized by section 12301(h) of title 10, U.S.C., as qualifying time for the Post-9/11 GI Bill. These particular orders are used when a National Guard member or Reservist is receiving medical care or is recovering from injuries incurred while on active duty.

Over the last decade, we have met scores of Reservists who have been held on active orders while they heal and wait for the med-board process to proceed apace, often separated from their families for months if not years at a time. For these troops held on active duty orders, it is eminently unfair that they are not earning eligibility for GI Bill benefits while those on active duty living in the same barracks, and assigned to the same unit, are able to do so.

VVA also strongly supports this provision and looks forward to seeing these National Guard and Reserve veterans get the benefits warranted by their service.

**Section 102. Consolidation of Eligibility Tiers under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.**

This section would authorize additional GI Bill funding for members of the National Guard and Reserve. This section would increase the amount of money/eligibility that individuals receive who serve at least 90 days but less than six months, on active duty - it would increase from 40 percent to 50 percent benefit payable. It would also increase the amount of money/eligibility that individuals receive who serve at least six months but less than 12 months - it would increase from 50 percent to 60 percent benefit payable. For a student attending a private school, this would result in approximately \$2,300 more a year in tuition than they are receiving now and would receive more dollars for their housing allowance.

VVA supports this provision.

**Section 103. Educational Assistance Under Post-9/11 Educational Assistance Program for Members of the Armed Forces Awarded the Purple Heart.**

This section would extend full eligibility for the Post-9/11 GI Bill to any Purple Heart recipient since September 11, 2001.

This provision closes an unintended loophole which denies full eligibility for the GI Bill for veterans who have bled for their country yet have not met the 36-month active duty requirement.

VVA strongly supports this provision, but urges Congress to consider the disparity that remains for those who served, experienced invisible wounds without the recognition of a Purple Heart, and then were made ineligible for the GI Bill due to unfair administrative discharges.



It is abundantly clear that the military is unfairly dismissing disabled veterans with less-than-honorable discharges in a manner that cripples their ability to recover. The Government Accountability Office “found that servicemembers diagnosed with PTSD, TBI, or certain other conditions can receive an ‘other than honorable’ discharge-making them potentially ineligible for VA health benefits.” While the focus of GAO-17-260 was the nexus of PTSD and related conditions resulting in a discharge denying veterans the health care they both need and deserve, it revealed that an outrageous number of recent veterans who suffered service-connected disabilities have also been denied access to the GI Bill.

It would be a disgrace to many if this committee fails to address the denial of benefits to the tens of thousands of veterans with invisible injuries incurred during their service in the military.

**Section 104. Eligibility for Post-9/11 Educational Assistance for Certain Members of Reserve Components of Armed Forces who Lost Entitlement to Educational Assistance under the Reserve Educational Assistance Program.**

**This section would allow certain members of the Reserve component to transfer into the Post-9/11 GI Bill who lost educational assistance benefits when Congress repealed the Reserve Educational Assistance Program (REAP).**

VVA supports this provision in that it will close another unintended loophole which has forced many Reservists to in effect place their lives on hold.

**Section 105. Calculation of Monthly House Stipend under Post-9/11 Educational Assistance Program Based on Location of Campus where Classes are Attended.**

**This section would change the way living stipend amounts are calculated, from the current rule that says the living stipend payment is based on where the school is located to instead having the payment calculated based on where the student attends the majority of classes.**

VVA supports the intent of this section, which is to ensure that GI Bill users receive a fair stipend to support living expenses while they attend school. Under current law, the VA determines Basic Assistance for Housing (BAH) payments to student veterans based on the Zip Code where the school is certified. This can create some disparity for veterans attending schools with multiple campuses, as BAH rates can vary greatly. The VA should pay BAH rates that align with the cost of living where the student veteran is attending school, not necessarily where the school is certified.

While VVA does believe that this bill addresses an unintended imbalance in the way BAH rates are paid, we do have concerns about possible complexities arising from implementation of the bill as written. For example: How would this apply to a veteran attending classes in multiple locations at an institution that spans multiple Zip Codes?

**Section 106. Charge to Entitlement for Certain Licensure and Certification Tests and National Tests under Department of Veterans Affairs Post-9/11 Educational Assistance.**

**This section would change the current rules that require that a veteran be charged a whole month of entitlement to pay for any national test (GMAT, GRE, SAT, etc.) or test that is required for state licensing. Instead of a full month of entitlement, this bill would require that the test be prorated to the amount of the actual cost of the test.**

VVA supports this provision which will empower veterans to use the GI Bill to pay for national tests and state licensing on a pro-rated basis in a way that avoids over-charging the GI Bill user's eligibility.

**Section 107. Restoration of Entitlement to Post-9/11 Educational Assistance for Veterans Affected by Closures of Educational Institutions.**

**This section would restore entitlement to individuals when their school closes in the middle of a semester. This section would also authorize additional living stipend payments to be paid to students whose school closes in the middle of a semester for no more than four months, or the length of the semester, where they were attending training.**

The purpose of this provision is to restore eligibility for tuition, but not BAH, for student veterans who attended an institution that has unexpectedly closed. VVA supports the intent of this legislation, but urges the committee to amend it to restore BAH as well. Veterans who have had their educational paths approved and

paid for by the VA, and who then experience a school closing, should not have the rug pulled out from under them.

VVA urges that the committee take a proactive approach to protecting student veterans by keeping the VA from approving GI Bill use at institutions that have questionable practices or are at risk of closure. As we have expressed many times in recent years, VVA is concerned about abuses of the GI Bill and questionable recruiting practices by institutions similar to Corinthian and ITT Tech.

According to Student Veterans of America's National Veteran Education Success Tracker (NVEST) Report, proprietary schools enroll 27 percent of GI Bill students, while taking in 40 percent of total GI Bill funding—and only produce 19 percent of the total degree completions. By comparison, public schools enroll 56 percent of GI Bill students, take in 34 percent of total GI Bill funding, and produce 64 percent of total degree completions.

In recent years, proprietary schools have seen overall enrollment spiral down, with the proportion of GI Bill users among their student populations growing. In many cases, these schools are over-reliant on federal funding, and if GI Bill funding was considered as federal funding under the 90/10 rule, these entities would be far out of compliance.

VVA encourages this committee to work to make sure that GI Bill funding is counted as federal funds as it pertains to the 90/10 rule. This will help ensure that student veterans are not looked at as dollar signs who help pad questionable programs so that they can be in compliance with the rather liberal 90/10 rule.

**Section 108. Inclusion of Fry Scholarship Recipients in Yellow Ribbon GI Education Enhancement Program.**

**This section would extend the Yellow Ribbon Program to students receiving GI Bill payments through the Fry Scholarship program and those who received a Purple Heart after September 11, 2001. Fry recipients are surviving dependents of service members who died while on active duty.**

VVA strongly supports this section of the bill, which would ensure that survivors of troops killed in action receive the support that they deserve.

**Section 109. Additional Authorized Transfer of Unused Post-9/11 Educational Assistance Benefits to Dependents upon Death of Originally Designated Dependent.**

**This section would allow a veteran to transfer remaining months of GI Bill entitlement to another dependent if the dependent who originally received the transferred benefits dies before they can use all of the benefits. The section would also allow a dependent to transfer remaining months of GI Bill entitlement to another dependent after the death of the service member or veteran.**

VVA supports this section, which would ensure that GI Bill eligibility does not end when a military family suffers the loss of a transferee. Under current law, a veteran can transfer their GI Bill eligibility to a spouse or child. If the transferee dies, the GI Bill eligibility dies with them.

This legislation honors Shauna Hill, the 16-year-old the daughter of retired Navy Captain Edward Hill, who was killed in a car crash in December 2012. Because of the rigidity of the program, due to the fact that Captain Hill had already separated from the Navy when Shauna died, he was unable to transfer the benefit to his other daughter, Haley.

VVA is pleased that the committee is working to fix this unintended shortfall in the transferability program of the GI Bill.

**Section 110. Additional Educational Assistance Under Post-9/11 Educational Assistance Program of Department of Veterans Affairs.**

**This section would authorize the VA to provide additional GI Bill funds to help a student veteran complete a STEM degree. Veterans would be eligible to apply for the program, which would pay for the lesser of nine additional months of Post -9/11 GI Bill eligibility, or a lump sum of \$30,000. The amount of money that could be spent on this program would not exceed \$100,000,000 in any one fiscal year.**

VVA supports the intent of this legislation, which will empower veterans to pursue degrees that will allow them to reach their highest potential. However, VVA is weary of the idea of providing a lump sum payment to GI Bill recipients, and limiting the benefit to \$30,000 instead of allowing veterans to continue a five-year STEM program without seeing a change in benefits.

VVA understands that the \$30,000 lump sum payment and limit were set in order to control costs of this pilot program. However, we believe that this method could create significant problems for GI Bill users.

VVA recommends that the committee amend this section so that a fifth year in pursuit of a STEM degree is provided without an arbitrary cap, and to remove the lump sum payment option.

VVA hopes that the committee will recognize that other degree paths are valuable for GI Bill users and the economy. We encourage the committee to consider similar pilot programs to empower GI Bill users to pursue equally empowering degrees such as law, education, social work and those in demand for VA hiring.

**Section 111. Honoring National Service of the Members Elimination of Time Limitation for Use of Entitlement.**

Denying the GI Bill to a veteran because he or she was unable to, or chose not to, utilize the GI Bill does no good for veterans, nor for their families or taxpayers. While there are many reasons that a veteran may delay pursuing an education via the GI Bill, VVA poses three scenarios of veterans who are essentially punished because they experience a transition that does not result in their quickly going to school after leaving military service.

In one scenario, if a veteran struggles to adapt to life outside the military due to PTSD, they may find themselves simply unable to enter a scholastic environment. While a service-connected disability may qualify a veteran for Vocational Rehabilitation, which may afford them access to some benefits to gain an education, this veteran would have lost eligibility for the GI Bill's housing stipend which is a large part of what makes going to school affordable for most veterans.

In another scenario, a veteran may exit the service unable to enter school for years because they have children to care for, or because they are a caregiver to a loved one. This veteran, under current law, is punished for fulfilling other responsibilities because they lose their eligibility for the GI Bill under what is essentially an arbitrary time limit.

On our final scenario, we have veterans who transition seamlessly out of the military and into another career. Yet, as we face an ever-changing economy, some of these veterans are bound to lose their work due to technological and industrial changes. Whereas the average American experiences career changes five to seven times throughout their life, why should a veteran be denied the opportunity to re-train through use of the GI Bill at any of these points of career change?

We are elated to see this committee agree that for those who become eligible after January 1, 2018, GI Bill recipients won't be punished for transitioning in a manner that fits an arbitrary timeline.

**Section 112 - Monthly Stipend for Certain Members of the Reserve Components of the Armed Forces Receiving Post-9/11 Educational Assistance.**

VVA supports this provision, which would close an unintended loophole that affects Reservists whose education is disrupted by their service commitments.

**Section 113. Improvement of Information Technology of the Veterans Benefits Administration of the Department of Veterans Affairs.**

**This section would authorize \$30 million to improve GI Bill claims processing and complete their rules-based processing system for these claims.**

VVA favors this provision. However, we believe that rather than enact yet more legislation, Congress ought to focus on employing its oversight obligations to ensure that the VA is in fact making improvements to its IT system.

**Section 114. Department of Veterans Affairs High Technology Pilot Program.**

**This section would authorize VA to conduct a five-year pilot program that would provide veterans the opportunity to enroll in high technology courses (coding boot camp, IT certifications, etc.). VA would enter into contracts with these schools or programs and would provide tuition and fee payments on a sliding scale that incentivizes the schools to graduate the student veterans and ensure they find a job in their field. The section would also authorize a living stipend equal to the Post-9/11 rate to students while they are using the benefit.**

VVA appreciates the intent of this provision, which is to increase veterans' options in receiving training in emerging technological fields, and is thankful to see this section has improved to provide greater GI Bill protections. We recognize the need for flexibility in the GI Bill in response to an evolving economy, and thank the committee for this improved version of this section, based off the VET-TEC Act.

VVA supports accountability in GI Bill programs, and appreciates efforts in this provision meant to ensure that benefits aren't wasted. However, we have concerns about possible loopholes that could be exploited by unethical organizations that would qualify for this program.

First, VVA believes that the paragraph allowing entities that have only been operational for a period of two years to qualify for the program should be amended to require programs to have been in operation for at least five years prior to enactment of this bill. This would prevent unscrupulous actors from setting up shop today in response to this pilot.

Second, we would like to see clarification of the term "meaningful employment" as it is used in Sec.114 paragraph 5. We support the spirit of the proposal, which aims to ensure that GI Bill users are trained with valuable skills. However, if the GI Bill user accepts a job offer in a related field with a salary that is below what the training entity advertised, would that qualify as "meaningful employment"?

VVA thanks the committee for amending this provision so that the Secretary may develop approving criteria for the program in consultation with state approving agencies. However, we would prefer the word "shall" be used in place of "may."

#### **Section 201. Work-Study Allowance**

**This section would repeal the sunset date in the law that allows VA work-study benefits for outreach to student veterans and to assist state approving agencies.**

VVA supports this bipartisan provision, but suggests removal of the sunset so that the work-study program becomes permanent. An estimated three-fourths of GI Bill users are currently working full- or part-time, and most have families. Work-study can provide GI Bill participants with much-needed stability and income. VVA thanks the committee for removing the sunset date of this provision.

#### **Section 202. Duration of Educational Assistance under Survivors' and Dependent' Educational Assistance Program.**

**This section would change the number of months of entitlement for individuals who become eligible for the Survivors' and Dependents' Educational Assistance Program from 45 months to 36 months. This would realign this program with other GI Bill programs that provide 36 months of eligibility for educational assistance. This change would only apply to individuals who become entitled to this program on or after August 1, 2018.**

VVA supports this provision in the context of the increase in monthly benefits payable under the Survivors' and Dependent Educational Assistance Program described in section 203.

#### **Section 203. Increase in the Amounts of Educational Assistance Payable Under Survivors' and Dependent' Educational Assistance Program.**

**This section would increase the payment for educational assistance provided under Survivors' and Dependent' Educational Assistance Program by \$200 a month.**

VVA supports an increase in monthly payment for educational assistance provided under Survivors' and Dependent' Educational Assistance Program. This long-awaited increase, while relatively small, will help recipients avoid some debt incurred as they pursue higher education.

#### **Section 301. State Approving Agency Funding.**

**This section would increase the funding out of VA's mandatory account for State Approving Agencies (SAA) from \$19 million a year to \$21 million per year. This section would also authorize VA to provide an additional \$3 million annually to the SAAs out of the department's discretionary account. This section would also, beginning in fiscal year 2019, require VA to provide a cost of living adjustment increase to the SAAs budget in an amount that equals the same percentage increase as benefits provided under the Social Security Act.**

VVA believes that SAAs are essential partners in protecting users of GI Bill programs, and as such, we support Section 301 of this bill.

#### **Section 302. Authorization for Use of Post-9/11 Educational Assistance to Pursue Independent Study Programs at Certain Educational Institutions that are Not Institutions of Higher Learning.**

**This section would allow an eligible individual to use their GI Bill benefit for an accredited independent study program (including open circuit television) at an educational institution that is an area career and technical**

**education school or a post-secondary vocational school providing post-secondary level education.**

VVA appreciates and supports this section, which expands veterans' options in education and prevent veterans from having to relocate or travel long distances in order to attend classes at career technical education (CTE) centers. However, we are concerned about opening additional avenues for unscrupulous actors to abuse the GI Bill.

**Section 303. Provision of Information on Priority Enrollment for Veterans in Certain Courses of Education.**

**This section would require VA to include on its GI Bill Comparison Tool information on whether a school has a priority enrollment system in place that allows veterans to enroll in courses earlier than other students attending the school.**

VVA strongly endorses this section, which would ensure that many student veterans know as they are applying to schools whether or not they will receive the same priority registration that is often offered to students who play sports or are entering their senior year. Student veterans are by definition adults, many of whom have significant family and financial obligations which can be extremely burdensome. For the estimated 20 percent of recent combat veterans who suffer from PTSD, priority registration can serve as one additional way that schools can help to reduce their stress levels.

**Section. 304. Limitation on Use of Reporting Fees Payable to Educational Institutions and Sponsors of Programs of Apprenticeship.**

**This section would allow VA to provide a fee to schools or a sponsor of a program of apprenticeship for the reports or certifications that these institutions are required to submit to VA about the individuals at their school receiving GI Bill benefits. It would require that VA provide \$16 to the institution for each individual that they certify as using GI Bill benefits. This section would also require that schools with 100 or more enrollees using GI Bill benefits may not use the funds received by the institution from the reporting fees for the institution's general fund and that these funds may only be used for veterans' programs at that institution.**

VVA supports this provision. We support increasing reporting fees to schools, so long as there are sufficient protections in place to ensure that these funds are earmarked specifically to services for GI Bill users only. Schools should not be permitted to blend VA funding fees with general funds, or use VA funding for general programing. This provision accomplishes exactly this.

These funding fees provide schools which have large contingents of GI Bill beneficiaries with ways to improve services and facilities dedicated to service members, veterans and their families. Many schools have used these funds to build and support dedicated on-campus Student Veteran Centers. These spaces are critical for many student veterans' successful transition, as they serve as a rallying point where veterans can find others with similar experiences and backgrounds. Veterans who experience camaraderie on campus are more likely to succeed in school, and as such, institutions collecting large sums of reporting fees should be encouraged to use these funds to support on-campus Student Veteran Centers.

**Section. 305. Training for School Certifying Officials.**

**This section would require VA, in consultation with the SAAs, to provide requirements for training for school certifying officials at educational institutions that are approved for GI Bill benefits. This section would also allow VA to disapprove a course of study if a school does not ensure that the school certifying official meets the training requirements.**

VVA supports this provision, which increases training requirements for the certifying officials at schools who process GI Bill benefits. This provision will protect GI Bill users from processing delays and other errors which can significantly, and negatively, impact their lives.

**Section 306. Extension of Authority for Advisory Committee on Education.**

**This section would extend by five years the authority for VA's Advisory Committee on Education from December 2017 through to December 2022.**

VVA supports this common-sense provision extending the authority for VA's Advisory Committee on Education, but asks: Why set a new expiration date? The VA's Advisory Committee on Education provides an important way for education experts

to provide the VA Secretary with feedback on veterans' issues in higher education. We see no reason that this committee should not be made permanent.

We also suggest expanding this committee to include not just "veteran representatives of the Global War on Terror," but representatives of national organizations representing veterans, survivors and military families of all generations who have used, are using, or will use VA educational benefits; organizations should qualify for consideration of membership in this committee only if they have maintained a tax-deductible, not-for-profit status and have maintained policy-focused staff in an office in the Washington, DC region for at least six years.

**Section 307. Department of Veterans Affairs Provision of On-Campus Educational and Vocational Counseling for Veterans.**

This section would codify VA's Veterans Success on Campus (VSOC) program, which is administered and overseen by the Vocational Rehabilitation and Employment Service (VR&E). There are currently 94 schools with a VSOC program, which provides a VR&E counselor at each school to assist veterans with their transition from military to college life. They also provide support and assistance needed to pursue veterans' educational and employment goals.

VVA supports expansion of VSOC, which places experienced Vocational Rehabilitation Counselors (VRCs) on campuses with high populations of GI Bill users. VSOC counselors are an invaluable resource for student veterans, particularly those with service-related illnesses and injuries and those still struggling with their transition out of the military. Placing VRCs on campus increases support for veterans in ways that schools don't otherwise provide. VSOC counselors address questions regarding VA educational benefits, health services, and general VA benefits in addition to enrolling student veterans into the VA healthcare system right there on campus.

The VSOC program, which began as a pilot in 2009, is currently on 94 campuses. This program has proven to be extremely beneficial to veterans, and should be made permanent and expanded to wherever it is practical to do so. Placing VSOC Counselors on campuses saves GI Bill users countless hours traveling to VA facilities, helping them stay focused on their studies.

Because VRCs currently have caseloads that far exceed recommended levels, VVA hopes that Congress will work with the VA to ensure that more VRCs are hired.

**Section 308. Provision of Information Regarding Veteran Entitlement to Educational Assistance.**

This section would require VA to make available to educational institutions the ability to view the remaining benefit amount for each veteran attending that institution. This section would also allow the veteran or their dependent (if they are a beneficiary of their GI Bill benefits) to opt out of the school's ability to receive such information from the VA.

VVA supports this provision which will allow school certifying officials to provide GI Bill users more accurate counseling on benefits. Ensuring that GI Bill beneficiaries and certifying officials have information regarding eligibility ensures that veterans can plan their education appropriately.

**Section 309. Treatment, for Purposes of Educational Assistance Administered by the Secretary of Veterans Affairs, of Educational Courses that Begin Seven or Fewer Days after the First Day of an Academic Year.**

This section would provide more flexibility to school certifying officials if the first day of a course does not start on the first day of an academic term, by allowing the school certifying official to certify the course as beginning on the first day of the academic term for purposes of certifying a veteran for GI Bill benefits.

**Section 401. Eligibility of Reserve Component Members for Post 9/11 Educational Assistance.**

This section would make individuals eligible for Post-9/11 GI Bill benefits who have served and who will serve on 12304, 12304(a) and 12304(b) orders. Any active-duty service under these Reserve component orders since the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 would apply for such benefits going forward.

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**Section 402. Time Limitation for Training and Rehabilitation for Veterans with Service- Connected Disabilities.**

**This section would also make the 12304, 12304(a) and 12304(b) orders eligible for benefits under the Vocational Rehabilitation and Employment program in chapter 31 of title 38, U.S.C.**

VVA also supports sections 401 & 402, which seek to close unintended loopholes created by the Armed Services Committees and the Department of Defense in response to today's ever-changing global wars.

VVA would appreciate if the committee would consider amending this legislation in a manner that would prevent DoD from creating new orders that put troops downrange without allowing them to earn the eligibility for the benefits they deserve.

**Section 501. Repeal Inapplicability of Modification of Basic Allowance for Housing to Benefits under Laws Administered by Secretary of Veterans Affairs.**

**This section would be the offset for the package by realigning the living stipend payments for those using the Post 9/11 GI Bill (E-5 with dependents' rate) to the same Basic Allowance for Housing (BAH) payments currently paid to active-duty service members at the E-5 with dependents' rate. Several years ago, the annual percentage increase to active duty BAH payments were reduced by 1 percent a year for five years, but GI bill payments were exempt. This bill would re-align these payments so that a GI Bill recipient would receive the same living stipend per month as an E-5 active duty service member with dependents.**

VVA believes that BAH across active duty and GI Bill users should remain bound so that GI Bill recipients would receive the same living stipend per month as an E-5 active-duty service member with dependents. We believe that, in the context of this bill, the budget offset created by this section is appropriate as it allows other sections of this bill to invest in improving the GI Bill's implementation.

In conclusion, VVA is thankful to the members of the House Committee on Veterans' Affairs, and to committee staff, for the time and dedication that it took to develop what is truly a remarkable bipartisan bill. We also thank Student Veterans of America and all of the member organizations of the informal Forever GI Bill Coalition for their role in seeing this bill develop. We look forward to enactment of , and to future efforts to expand and improve the GI Bill. Most importantly, we hope to see the committee address the fact that nearly 12 percent of veterans who were discharged between Fiscal Years 2011–2015 left the service ineligible for the GI Bill.

VVA welcomes and will respond to any questions members of this committee may have.

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#### **Letter to Chairman (AUSN)**

The Honorable Gus Bilirakis  
United States House of Representatives 2112 Rayburn House Office Building  
Washington, D.C. 20515

On behalf of the Association of the United States Navy, we would like to pledge our support for

H.R. 1994.

This bill would direct the Secretary of Veterans Affairs to make improvements to the information technology system of the Veterans Benefits Administration of the Department of Veterans Affairs.

Thank you for taking an active role in such an important issue to the Military and Veteran community by working to improve the lives and careers of those who served our great nation. Please feel free to contact me with any questions or concerns at 703-548-5800 or at michael.little@ausn.org.

Michael J. Little  
Director of Legislative Affairs

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**Edward H. Hill, CAPT USN (ret) & Heidi B. Hill**

TO: CONGRESSMAN RAÚL R. LABRADOR

SUBJ: TESTIMONY IN SUPPORT OF SHAUNA HILL POST 9–11 EDUCATION  
BENEFITS TRANSFERABILITY ACT

The Post 9–11 GI Bill is a fantastic benefit that our country has provided to its veterans. We felt very fortunate to have this opportunity, with the plan to assign the education benefits to my daughter Shauna. We lost our beautiful Shauna due to an automobile accident on December 10, 2012. She suffered in intensive care until December 20th, when upon declaration of her being brain dead, we proceeded with an organ donation process. Her heart, kidneys and liver were provided to six recipients. We have met the heart recipient and to this day have a relationship with the young lady and her family. Shauna has left quite a legacy.

After Shauna's loss, I attempted to transfer the Post 9–11 Education benefits to my other daughter Haley. The VA said I was unable to do this. Apparently, I needed to allocate at least some ratio of benefits to every possible beneficiary if I wanted to change any allocation ratios later. This was not communicated at the time of my retirement. It was unclear why they would not make this simple change. The bureaucratic machine would not budge, so I decided to contact Congressman Raúl Labrador to see if there was an alternative solution. The feedback from Congressman Raúl Labrador's staff was nothing could be done. They communicated to me that the whole process seemed contrary to the best interests of the veterans and it made no sense that the policy of the assignment of benefits could be so unyielding. I appreciated their efforts and thanked them. I had no inclination that there would be any resolution to this issue and assumed that these benefits were lost to me permanently.

Some months ago I was informed of the bill that Congressman Labrador was going to submit to Congress. I was very pleased to hear this as now this bureaucratic policy could be reevaluated and modified to help other veterans that might befall a similar tragedy and also suffer the inability to transfer their benefits. My other daughter has graduated college, so there is no reassignment available for our family, but there is an opportunity to fix this for another deserving veteran family. With all the challenges facing veterans that served in the conflicts over the last 15 years, it is paramount we do everything we can to do what is right for these great Americans and their families and the sacrifices they made.

My most heartfelt thanks to Congressman Labrador and his staff for all their hard work in making this bill happen. I appreciate it and all my fellow veteran brothers and sisters do too.

Very respectfully,  
Edward H. Hill, CAPT USN (ret)

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**Scott Crawford**

**HIGH GROUND VETERANS ADVOCACY**

REGARDING

REFORMING THE ADMINISTRATION OF THE JOINT SERVICES TRANSCRIPT AND  
VETERANS' AFFAIRS EDUCATION BENEFITS.

**Chairman Roe, Ranking Member Walz, and other distinguished members  
of the Committee on Veterans' Affairs:**

Thank you for allowing me the opportunity to offer testimony regarding a policy that will save tax dollars, help veterans reach their educational goals, and prevent a substantial amount of waste administering Department of Veterans' Affairs (VA) educational benefits.

My policy proposal focuses on the Joint Services Transcript (JST). The JST is a record administered by the Department of Defense that lists training a service member received while in the military. The American Council on Education (ACE) evaluates this training and converts it into meaningful college credit hours that a veteran can apply towards a degree. Over recent years, various initiatives have improved both access to, and the value of, the JST. Despite this, however, data suggest that around half of all veterans do not take advantage of the JST by applying it toward the degree program for which they use their GI Bill.



Currently, the Department of Defense maintains an online database that provides easy access to a veteran's JST.<sup>1</sup> The VA administers educational benefits by requiring that eligible veterans complete an authorization form for the allocation of benefits at the beginning of each semester. I suggest that the VA use this authorization process to also gain authorization to request the JST on a veteran's behalf, and then subsequently send the JST to the same institution at which the veteran requested their benefits be applied.

After carefully evaluating the wasted benefits and tax dollars this inefficiency causes, it seems apparent that the following law is nothing short of good common sense.

#### **LEGISLATIVE DRAFT SUGGESTION**

##### **S. — — — - Joint Services Transcript Efficiency Act**

This bill will direct the Department of Veterans' Affairs to automatically and without undue delay send the Joint Services Transcript to an eligible veteran's academic institution upon receiving the appropriate authorization to disperse that veteran's education benefit to said institution.

For the purposes of this bill:

- The Joint Services Transcript is the transcript authorized and described under 32 C.F.R. § 68.3 (2014).
- Veteran education benefit is any education benefit authorized under Title 38 U.S.C.

#### **Discussion - Analyzing Financial Impact**

The majority of studies on which I relied during my research were not designed to evaluate the impact of the JST. As such, the available data was often incomplete or required some degree of speculation with respect to the likely effects of this policy. Further, other variables and projected benefits of this policy depend upon data that is either non-existent or cannot not be known until the policy is implemented. Acknowledging these limitations, I will do my best in the following paragraphs to accurately analyze the potential impact of this policy and identify unknown data that could affect it.

First, it is important to understand the distinction between waste prevented and costs saved by this policy. Prevented waste strictly refers to using GI Bill benefits on education that would have been otherwise satisfied by the JST. Cost savings refers to actual dollars that would not have been paid out had the veteran applied the JST. To illustrate, see the following hypotheticals:

- "Veteran A" successfully transfers one semester of credit hours to the college she attends using the JST. As a result, three and a half years later she graduates a semester earlier than she would have otherwise and still has remaining GI Bill benefits. She never uses the remaining benefit. Result - One semester of cost savings and prevented waste.
- "Veteran B" uses the JST to successfully transfer one semester of credit hours to his college, but decides not to pursue a degree after his first semester. Result - Zero cost savings, but one semester of wasted benefits still prevented.
- "Veteran C" is just like "Veteran A," except this veteran exhausts the remaining GI Bill benefit for the first semester of an advanced degree program. Result - Zero cost saving, but one semester of wasted benefit still prevented.

#### **Evaluation of Waste**

Every year around 200,000 student veterans use the GI Bill for the first time.<sup>2</sup> Half of these veterans will never request that their JST be applied to the academic institution they attend.<sup>3</sup> This policy will therefore primarily apply to the 100,000 who never request the benefit.

Veterans who do request the JST successfully transfer an average of 18 credit hours. We can therefore reasonably assume that the JST will supplement at least one semester of college for most veterans. The cost of one semester of college varies significantly, but the following are national averages: Two-Year Public College?-

<sup>1</sup> See JST System Online at <https://jst.doded.mil/>

<sup>2</sup> <http://benefits.va.gov/REPORTS/abr/ABR-Education-FY15-02032016.pdf>

<sup>3</sup> Military Veterans' Experiences Using the Post-9/11 GI Bill and Pursuing Postsecondary Education. A Study by the Rand Corporation - Pg. 32 PDF available at <http://www.rand.org/content/dam/rand/pubs/monographs/2011/RAND-MG1083.pdf>

?\$1,750 (in-state), Four-Year Public University?-\$5,000 (in-state), Private Non-Profit University?-\$17,000, and Private For-Profit University?-\$8,000.<sup>4</sup>

By projecting data from previous studies, we can roughly estimate how many veterans will attend each type of institution. Of the 100,000 veterans who never request a JST: 10,000 will attend a two-year public institution, 54,000 will attend a four-year public university, 13,000 will attend a private non-profit university, and 21,000 will attend a private for-profit university. Using this data, we can project a total cost of \$676,500,000 in tuition and fees spent on 100,000 veterans for one semester of college. (This does not account for the Basic Housing Allowance (BAH) or the book stipend that the GI Bill also provides. These costs will be discussed in one of the following sections.)

**In sum:**

- 200,000 student veterans begin using GI Bill benefits every year.
- 100,000 of these veterans never request their JST
- On average, each veteran would have satisfied one semester of school had it been requested.
- Result - \$676,500,000 of wasted benefits are spent annually on tuition and fees alone.

Before evaluating the cost of BAH and the book stipend, it is necessary to distinguish between those veterans who finish a degree program and those who do not. When evaluating the cost of BAH and the book stipend, this policy will have no cost savings for veterans who do not complete their degree program (however, it would still prevent wasteful spending). The money spent on BAH and the book stipend would have been spent regardless with no lasting, material benefit. For this reason, we will only account for veterans who complete their degree programs when evaluating cost savings in relation to BAH and the book stipend. 50% of veterans complete or graduate the education programs they enter<sup>5</sup>. Accordingly, we can estimate that 50,000 of the 100,000 veterans annually who do not request their JST will complete their degree or program.

The national BAH average in the 2015–2016 fiscal year was just over \$1500 per month. This number will be used to evaluate cost. It should be noted that the actual average paid out to GI Bill beneficiaries is likely much higher, because veterans naturally attend schools in urbanized areas with a much higher BAH rate. To arrive at a more conservative estimate however we will assume this lower rate. For the purposes of this evaluation, one semester of school will equal four months (the average is closer to five months, but again, in the interest of reaching a conservative estimate). In sum, over \$6,000 per semester is spent on BAH for every veteran. When applied to the 50,000 veterans who complete their degree each year, this results in a sum in excess of \$300,000,000.

In addition, the book stipend is \$500 per semester. When applied to 50,000 veterans, this equates to another \$25,000,000. Totaling \$325,000,000 paid out annually only to those veterans who complete their degree program and never request the JST.

**In sum: \$325,000,000 of benefits are needlessly spent of BAH and book stipend payments.**

**Potential Cost Savings**

Considering only the 50% of veterans who finish their degree program, \$338,250,000 of benefits are spent on tuition and fees that could have otherwise been satisfied had the JST been applied. Another \$325,000,000 is needlessly spent on BAH and book stipends. If every veteran were like “Veteran A” from the hypothetical mentioned earlier, then this would result in a total cost saving of \$663,250,000 while still achieving the same educational goal. Of course, not every veteran will leave their remaining benefit unused. This unknown is the biggest variable with respect to the total cost savings potential of this policy. Next, I will address several other variables that could both positively and negatively impact savings.

**In Sum: Potential Cost Savings of \$663,250,000 Annually**

**Other variables and assumptions that will affect policy financial benefits.**

<sup>4</sup>National Tuition Averages available at <https://trends.collegeboard.org/college-pricing/figures-tables/average-published-undergraduate-charges-sector-2016-17>

<sup>5</sup>Military Veterans’ Experiences Using the Post-9/11 GI Bill and Pursuing Postsecondary Education. A Study by the Rand Corporation - Pg. 32-33, PDF available at <http://www.rand.org/content/dam/rand/pubs/monographs/2011/RAND—MG1083.pdf>

- As previously mentioned, the single most important variable that will dictate the cost savings potential of this policy will be the number of veterans who leave their remaining benefits unused. Despite this variable negatively affecting cost savings, it remains a net positive. Allowing veterans the opportunity to preserve some of their benefit to be applied toward an advanced degree is exactly the kind of change we need to truly “modernize” the GI Bill.
- We cannot know that every veteran will receive 18 credit hours from the JST transcript. This is only an average based on the relevant studies and data available. Some veterans may receive far fewer hours. Others may have already taken basic college courses prior to joining the military, thus rendering some credits from the JST useless. On the other hand, the study from which I pulled this data was conducted in 2011, and since then initiatives have been implemented to improve the JST. Changes to the JST are ongoing to allow more academic credit for different types of military training. It is possible that, in the time intervening this study’s completion, the average number of credit hours transferred from the JST may have increased. If this were the case, the financial benefits of this policy would prove even greater. It is my hope that as future evaluations are done to more accurately accredit military training, the benefits of this policy will correspondingly increase.
- Not all veterans attend education programs that would be affected by the type of credits on the JST. For example, many technical schools do not require any type of electives or basic educational courses (these were the types of courses in my personal experience that the JST fulfilled). These types of programs only account for a small percentage of veterans utilizing their education benefits. But, this would have a negative impact upon this policy’s financial benefit. I do not suspect any such impact would be significant, however, considering the small number of veterans engaged in these types of programs.
- Of those who do request the JST, many do not do so until later in their academic career. Those veterans would benefit from this policy as well, because had the JST been transferred at the onset of their education, their academic advisors could have prevented them from taking classes that had already been satisfied by military training. This variable will likely increase the financial benefits of this policy.
- Research suggests that students who successfully transfer prior learning credit to a two-year degree program are four times more likely to graduate, and students in a four-year degree program are twice as likely to graduate.<sup>6</sup> It is unclear how these increased graduation rates would apply to student veterans; however, this variable seems to indicate that more veterans would finish their degree programs. If we speculate that this is true, then it is plausible more veterans will stay in school longer, use more of their benefits than they would have otherwise, thus costing the VA to pay out more money in education benefits. While this would negatively impact the financial benefit of this policy, more veterans completing their degrees is a positive thing. Moreover, it is almost certain that any additional cost arising from this variable would be offset many times over by the other financial benefits of this policy.
- My evaluation of this policy’s benefits only considered the Post 9–11 GI Bill. While this benefit by far accounts for the overwhelming majority of benefits paid out, the VA spends a significant amount of money on others as well. This policy would also benefit those programs. Accordingly, this policy would have more savings and waste prevention if applied to other VA educational benefits.

There are a few other variables I did not expand on, but I anticipate those to have a minimal affect. Further, there are undoubtedly issues I have failed to identify, and I encourage anyone involved to help identify any unknown variables.

### In Conclusion

It is impossible to know the exact measure of positive benefits this policy has in store. What is apparent, is that it is a good, common sense measure to prevent waste, save money, and help veterans use their education benefits more efficiently.

I would like to thank Chairman Isakson, Ranking Member Tester and other distinguished Members of the Committee on Veterans’ Affairs.

Signed,

For further information, contact:  
Scott Crawford  
High Ground Veterans Fellow

<sup>6</sup> See PDF, Pg. 35 <http://cdn2.hubspot.net/hubfs/617695/premium—content—resources/pla/PDF/PLA—Fueling-the-Race.pdf>

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**Aleks Morosky**

Chairman Roe, Ranking Member Walz, and Members of the Committee, on behalf of the Military Order of the Purple Heart (MOPH), whose membership is comprised entirely of combat wounded veterans, I thank you for allowing us to testify today on H.R. 3218, the Harry W. Colmery Veterans Educational Assistance Act of 2017. MOPH strongly supports this landmark legislation, which would accomplish many of our legislative goals relating to veterans' education. These include extending the Yellow Ribbon Program to Fry Scholarship recipients, granting GI Bill eligibility to Reserve Component members activated under 12304(a) and 12304(b) orders, restoring entitlement to education assistance for veterans affected by school closures, and eliminating the requirement that veterans use their education benefits within 15 years of discharge. While MOPH is proud to voice our support for these and all other provisions of this important bill, we would like to focus our statement on the section that most specifically affect MOPH members, section 103, which would finally grant full education benefits to all Post-9/11 Purple Heart recipients, regardless of the amount of time they served on active duty.

There is no doubt that the Post-9/11 GI Bill is among the most significant benefits available to current-era veterans. Its popularity is also without question. According to research recently published by Student Veterans of America, 347,564 student veterans have completed a total of 453,508 post-secondary certificates or degrees using the Post-9/11 GI Bill since its inception. While it is impossible to know at this point what the long-term return on investment will be for the program, MOPH is confident that it will eventually prove to have contributed significantly to the American economy, similar to previous iterations of the GI Bill. Simply put, when a veteran's military experience is combined with quality higher education opportunities, they are bound for success.

Still, there is room for improvement in the Post-9/11 GI Bill. Since it first went into effect in 2009, there have been multiple changes made to the program to address oversights in the original legislation. MOPH strongly believes that Congress should act to improve the Post-9/11 GI Bill once again to extend 100 percent eligibility to all Post-9/11 Purple Heart recipients.

Currently, only veterans who either serve at least 36 months on active duty or are discharged due to a disability receive Post-9/11 GI Bill benefits at the 100 percent rate. Those who were not medically discharged and serve less than 36 months receive only a portion of the benefit on a prorated basis.

MOPH strongly believes that any veteran who sheds their blood for our country on a Post-9/11 battlefield should be automatically granted the full benefit of the GI Bill that bears the name of the era in which they served. While we fully understand that there must be minimum service requirements for any benefit as generous as the Post-9/11 GI Bill, we firmly believe that every single current-era Purple Heart recipient is equally as deserving as any other servicemember, regardless of total time they served on active duty. Put another way, MOPH strongly believes that any veteran who was wounded on the battlefield has indeed already met the service requirement for full GI Bill eligibility by virtue of their personal sacrifice in our nation's efforts in fighting the Global War on Terror.

According to the report issued by the Congressional Budget Office (CBO), it is estimated that 660 Purple Heart recipients would see increased GI Bill benefits each year under this bill. While this is a relatively low number as compared to overall GI Bill usage, we believe it is certainly significant enough to warrant action by Congress. CBO also estimates that the cost of this provision would be a relatively modest \$65 million over the next 10 years. Still, MOPH understands that any new spending presents challenges in the current fiscal environment, and we are grateful that other provisions of H.R. 3218 fully offset the cost of section 103.

MOPH suspects that the majority of Purple Heart recipients who are eligible for less than the full benefit are veterans of the Guard and Reserve. Often activated only to deploy and then deactivated once they return home, it is not unusual for combat veterans of the reserve component to amass less than 36 months of active service before they are discharged.

It is also not uncommon for Purple Heart recipients not to receive medical discharges, even if their wounds are relatively severe. All too often, veterans who are wounded close to the end of their enlistments, or while on stop-loss, are simply discharged on schedule rather than initiating the lengthy medical board process nec-

essary for a medical discharge. Anecdotally, we hear that this is also more common in the Reserve Component.

To better illustrate our point, please consider the following examples:

Servicemember A enlists in the U.S. Air Force for three years. She is stationed at Dover Air Force Base where she works as a pay distribution specialist. She serves honorably and is discharged at the end of her three year term having never left the United States. Servicemember A is eligible for the Post-9/11 GI Bill at the 100 percent benefit level.

Servicemember B enlists in the U.S. Navy, also for three years. He is stationed at Naval Station Norfolk. One year into his assignment, he steps in a pothole during a unit run, fracturing his ankle. His unit initiates a medical board and it is determined that he can no longer perform his duties as an electronics technician. Having never left the United States, Servicemember B is granted a medical discharge and becomes eligible for the Post-9/11 GI Bill at the 100 percent benefit level.

Servicemember C is an infantryman in the Tennessee National Guard. After spending five years drilling with his unit, he is activated for the first time to deploy to Iraq at the height of the conflict. Ten months into his one year deployment, his night patrol is stuck by a command-detonated improvised explosive device, signaling the beginning of an ambush by insurgents. Shrapnel from the blast rips into his lips, exiting through his cheek and causing him to lose three teeth. After he and his squad suppress the enemy, he is evacuated to Baghdad where he receives a dozen stitches in his face, a partial denture, and a Purple Heart. After being allowed to convalesce for two weeks, a medical officer determines that he can still perform his duties as an infantryman. He rejoins his unit, and returns home two months later. Having completed his six year enlistment, he is discharged honorably. Since only 12 months of his service was spent on active duty, Servicemember C becomes eligible for the Post-9/11 GI Bill at only the 60 percent benefit level.

In using these examples, we are in no way implying that Servicemembers A and B are somehow undeserving of the benefits for which they qualify. All honorable service to our country is commendable and should be rewarded. We are only trying to illustrate how a Purple Heart recipient who serves less than 36 months on active duty and is not medically discharged is at least equally as deserving.

However, examples of how this legislation would help Purple Heart recipients are not only hypothetical. Consider the case of Sergeant Jonathan Goldman of Boston, Massachusetts, a veteran of the U.S. Marine Corps Reserve and Operation Iraqi Freedom. On September 4, 2006 while serving in Iraq with the 1st Battalion, 25th Marine Regiment, Jonathan's vehicle was struck by an improvised explosive device, injuring him and two other Marines. For his wounds, included a concussion, burns to his face and arm, an ankle injury, and shrapnel to his left knee, he was awarded the Purple Heart. Fortunately, he was able to remain with his unit, which redeployed November of 2006, at which time he was separated from active duty. Although he spent a total of six years in the Marine Corps Reserve, less than one year of that time was on active duty, while deployed to Iraq. As a result, Jonathan qualified for only 60 percent of the Post-9/11 GI Bill.

Another example is that of Sergeant Adrian Aranda of El Paso, Texas. Adrian served a total of four years on active duty in the United States Marine Corps, separating in June 2002, and was among the first U.S. service members to deploy to Afghanistan following 9/11. On December 16, 2001, while serving with the 15th Marine Expeditionary Unit, his foot patrol was struck by a land mine, wounding him and two other Marines. For his injuries, which included shrapnel wounds to his left arm, back, and both legs, a fractured left hand, minor burns, hearing impairment, and a traumatic brain injury, he was awarded the Purple Heart. Following his recovery, Adrian was separated honorably from the Marine Corps the following year. However, since most of his time on active duty was served prior to September 11, 2001, he was awarded only 50 percent of the Post-9/11 GI Bill.

In our view, our nation must do better by wounded warriors like Jonathan and Adrian. Although they were both eventually able to complete degrees using the diminished GI Bill eligibility, they both suffered unnecessary financial hardships in doing so. We believe it is also worthy to note that being wounded on the battlefield tends to present additional readjustment challenges for transitioning veterans, and we believe that Congress and the American people must do all they can to ensure Purple Heart recipients have access to the best educational opportunities possible when they return home. In light of this, MOPH strongly urges the Committee to advance the Harry W. Colmery Veterans Educational Assistance Act of 2017 without delay.

Chairmen Roe, Ranking Member Walz, this concludes my statement. On behalf of the Order, I thank you for the opportunity to submit our statement, and would

be happy to answer any questions for the record that you or other Members of the Committee may have.

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### National Guard Association Of The United States

July 17, 2017

Dear Chairman Roe, Ranking Member Walz, and other distinguished members of the House Veterans' Affairs Committee:

#### **Introduction:**

On behalf of the almost 45,000 members of the National Guard Association of the United States and the nearly 500,000 soldiers and airmen of the National Guard, we deeply appreciate this opportunity to share with you our thoughts on the Harry W. Colmery Veterans Educational Assistance Act of 2017 for the record. We also thank you for the tireless oversight you have provided to ensure accountability and improve our nation's services to veterans and their families.

In my testimony, I would like to focus on a key provision this legislation seeks to correct, which has plagued the soldiers and airmen of the National Guard since 2012. I would like to express my deepest gratitude to this Committee for its bipartisan efforts in proposing a resolution to ensure Post-9/11 G.I. Bill eligibility for members of the National Guard when deployed under 10 U.S.C. §12304b status. This is not just a benefit-parity issue. It is a question of fairness. Passing this bill will not only help ensure the men and women of the National Guard accrue Post-9/11 G.I. Bill benefits in the same manner as their active duty counterparts but will further support the soldiers who protect our nation.

#### **Duty Status Reform and Benefit Parity:**

Since our inception in 1878, ensuring benefit eligibility and equity for the men and women of the National Guard has been one of NGAUS' primary functions. I would be remiss if I did not point out that historically, benefits for servicemembers, most notably through the 1944 G.I. Bill, were not constructed nor viewed as entitlements. Rather, the G.I. Bill and related legislative efforts were solely focused on reintegrating the men and women of the armed forces following the horrors of World War II and helping them to become successful, contributing members of American society.

Since establishing the 12304b authority in 2012 to give Combatant Commanders greater authority to utilize the Reserve Component, thousands of our members have been deployed on operations to support the Multinational Force Observers mission in the Sinai, Egypt, NATO's Operation Joint Guardian in Kosovo, and most recently the European Reassurance Initiative countering Russian aggression in Eastern Europe. The Guard and Reserve forces have provided a cost-effective means of meeting the needs of Combatant Commanders and have provided important experience and expertise. We are also aware of the Department of Defense's continued utilization of this authority as evidenced by proposed increases in Guard and Reserve deployments under 12304b moving forward.

However, when the 12304b authority was established, it failed to make important changes to 5 U.S.C., 37 U.S.C., 38 U.S.C. and 10 U.S.C. As such, health, education, leave, pay, and retirement benefits equal with active component troops serving the same functions have been denied to Guard and Reserve Component soldiers serving under the 12304b authority. While our constituency wants to serve in any capacity, we believe that they should be afforded benefits such as: tuition assistance, early retirement credit, transitional healthcare access, and Post-9/11 G.I. Bill benefits currently not funded under 12304b status.

I also want to reiterate the linkage between the 12304b benefit inequity and the readiness of our Guard and Reserve Component soldiers and airmen. If the next 15 years in utilization of the Guard and Reserve look anything like the past 15 years, the likelihood is that these soldiers and airmen and the members of the other services are going to be incredibly busy in virtually every corner of the globe. Unless people dig into the intricacies of all the benefits that they are not being afforded under this status, they may not understand that it turns into a readiness issue. As these soldiers and airmen come out of one mobilization, as they are going through the reintegration process, they are actually preparing and becoming ready for the next mobilization. This is an issue that the country needs to pay closer attention to because the readiness of those forces are intrinsically tied to the benefits that they are not currently receiving under 12304b orders.

As you know, the National Defense Authorization Act of 2016 requires the Department of Defense to consolidate the thirty-two statutory authorities by which

members of the reserve component may be ordered to perform duty. While we appreciate the Department's ongoing efforts, NGAUS remains deeply concerned that the implementation of duty status reform will take numerous years and prevent thousands of additional Guardsmen and Reservists from receiving the same benefits as their active duty counterparts.

While the Harry W. Colmery Veterans Educational Assistance Act of 2017 does not correct every facet of benefit disparity for Guardsmen and Reservists deployed under 12304b orders, we are extremely grateful that this legislation includes full eligibility for the Post-9/11 G.I. Bill for those who have served under 12304b, 12304a and 12301h orders. Furthermore, NGAUS appreciates the inclusion of a provision to provide full Post-9/11 G.I. Bill eligibility to Purple Heart Recipients. I would also like to endorse the provision in the proposed legislation that would increase eligibility for those who have served less than 36 months on active duty service by eliminating the 40% tier and bumping these individuals up to the 50% tier while making the current 50% tier equal to 60%. This will have a positive impact for thousands of our members and greatly improve their educational opportunities.

#### **Conclusion:**

I thank you all again for allowing NGAUS to submit written testimony to this Committee and for your introduction of the Harry W. Colmery Veterans Educational Assistance Act of 2017. We urge your colleagues in the House to pass this crucial legislation that will correct numerous benefit inequities and provide increased educational opportunities for our citizen-soldiers. I look forward to continuing our work together and cannot thank you enough for your steadfast leadership in advocating for the men and women of the National Guard.

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### **Veterans Education Success (VES)**

H.R. XXXX, THE "HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT OF 2017"

Chairman Roe, Ranking Member Walz and Members of the Committee on Veterans Affairs,

Veterans Education Success (VES) appreciates the opportunity to share its views on H.R. XXXX, the "Harry W. Colmery Veterans Educational Assistance Act of 2017" under consideration at today's hearing.

VES is a nonprofit 501c(3) organization dedicated to protecting the integrity and promise of the GI Bill and other federal educational programs for veterans and service members; and, supporting student-veterans who have lost GI Bill entitlement through no fault of their own either because they were defrauded or their school closed.

VES receives no grants or funding from the Federal Government.

VES is very grateful to the leadership, Members and staff of the Committee for its extraordinary work on this landmark legislation. In concert with 37 other veteran and military groups, we particularly are thankful for the Sections concerning:

- defrauded veterans at closed schools (with modification) - Section 107
- Purple Heart recipient entitlement—Section 103
- National Guard / Reserves call-up entitlement - Sections 101, 402 and 403, and
- A Yellow Ribbon matching authority for the Fry Scholarship program for Survivors - Section 108

We are also deeply appreciative of the unprecedented extension of unused GI Bill benefits over the lifetime of future veterans. These and other improvements in the legislation honor the legacy of the creator of the historic WWII GI Bill, Harry W. Colmery of the American Legion.

#### **COMMENT ON SELECTED PROVISIONS IN THE "HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT OF 2017"**

**Section 101.** Consideration of Certain Time Spent Receiving Medical Care from Secretary of Defense as Active Duty for Purposes of Eligibility for Post-9/11 Educational Assistance.

This section would add time spent on active duty under orders authorized by section 12301(h) of Title 10, U.S.C., as qualifying time for the Post-9/11 GI Bill. These particular orders are used when a National Guardsman or Reservist is receiving medical care or is recovering from active duty wounds, illness or injury. VES strongly supports Section 101.

**Section 102.** Consolidation of Eligibility Tiers under Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

This section would authorize additional GI Bill funding for members of the National Guard and Reserve. This section would increase the amount of money/eligibility that individuals receive who serve at least 90 days but less than 6 months on active duty from 40% to 50% benefit payable. It would also increase the amount of money/eligibility that individuals receive who serve at least 6 months but less than 12 months from 50% to 60% benefit payable. VES supports Section 102.

**Section 103.** Educational Assistance Under Post-9/11 Educational Assistance Program for Members of the Armed Forces Awarded the Purple Heart.

This section would extend full eligibility for the Post-9/11 GI Bill to any Purple Heart recipients since September 11, 2001.

Currently, only veterans who serve either at least 36 months on active duty or are medically retired receive Post-9/11 GI Bill benefits at the 100 percent rate. Those who were not medically retired and serve less than 36 months receive only a portion of those benefits on a prorated basis. Unfortunately, this leaves out many Purple Heart recipients, particularly from the Reserve Component, who were wounded on Post-9/11 battlefields, but were activated for less than three years in total. VES strongly supports Section 103.

**Section 104.** Eligibility for Post-9/11 Educational Assistance for Certain Members of Reserve Components of Armed Forces who Lost Entitlement to Educational Assistance under Reserve Educational Assistance Program.

This section would allow certain members of the Reserve component to transfer into the Post-9/11 GI Bill who lost educational assistance benefits when Congress repealed the Reserve Educational Assistant Program (REAP). VES strongly supports Section 104.

**Section 105.** Calculation of Monthly Housing Stipend under Post-9/11 Educational Assistance Program Based on Location of Campus where Classes are Attended.

This section would change the way living stipend amounts are calculated, from the current rule that says the living stipend payment is based on where the school is located to instead having the payment calculated based on where the student attends the majority of their classes. VES is grateful to the Committee for its attention to the problem of predatory colleges gaming the housing allowance to induce enrollments. VES is concerned that the current bill is still open to abuse by bad actor schools. VES suggests, as an alternative, that the Committee direct VA to review its present methodology and make recommendations to Congress within three months of the date of enactment of this legislation.

**Section 106.** Charge to Entitlement for Certain Licensure and Certification Tests and National Tests under Department of Veterans' Affairs Post-9/11 Educational Assistance.

This section would change the current rules that require veterans be charged an entire month of entitlement to pay for any national test (GMET, GRE, SAT etc.) or test that is required for state licensing. Instead of a full month of entitlement the bill would require that the test be pro-rated to the amount of the actual cost of the test. VES supports Section 106.

**Section 107.** Restoration of Entitlement to Post-9/11 Educational Assistance for Veterans Affected by Closures of Educational Institution.

This section would restore one semester of entitlement to individuals when their school closes during the course of a semester. This section would also authorize additional living stipend payments to be paid to students whose school during the course of a semester for no more than 4 months, or the length of the semester, where they were attending training.

VES is appreciative of the Committee's desire to help defrauded veterans at closed schools. Thousands of student veterans and their families who were enrolled in ITT Tech and Corinthian colleges, now closed, have lost vital GI Bill benefits through no fault of their own.

It is worth bearing in mind that, at the time of its closure, ITT Tech credits were generally not respected or accepted for transfer by other schools. Indeed, the event precipitating ITT's closure (namely, the Education Department's request for an additional letter of credit and demand that ITT stop enrolling new students) was im-



posed because ITT had failed to answer ITT's accreditor's demand that ITT "show cause" why it should remain accredited, in light of evidence of substandard quality.

**This provision is in need of a technical fix because ITT Tech closed in-between terms, not during the course of the term. Therefore, ITT Tech student-veterans would not be authorized the relief envisioned in the provision, contrary to the Committee's intent.**

Moreover, VES respectfully submits that the Committee's reinstatement of only one semester of entitlement is insufficient to veterans who have lost their entire GI Bill through no fault of their own. Thirty-eight leading veterans and military service organizations wrote to the Committee on June 5, 2017<sup>1</sup>, asking the Committee to favorably report HR 1216, which reinstates full GI Bill benefits to veterans at closed schools - and the letter recommended to make it retroactive to also cover veterans at shuttered Corinthian Colleges.

As an alternative, VES respectfully urges the Committee to consider mirroring the U.S. Education Department's method of handling Closed School Discharges of student loans (available at 34 CFR 685.214). The Education Department's policy for students with Title IV loans makes sense: no loan discharge if a student benefited from the credits he earned at the closed school either through a teach-out arranged by the school or by transferring those credits to a comparable program at a new school. For veterans who were enrolled in closed schools, this would translate to reinstatement of GI Bill benefits under Title 38. The veteran would get total reimbursement of her GI Bill if she enjoyed no benefit from the closed-school credits. It would enable veterans who are left behind with lost GI Bill benefits to start over, as other students can, and reach their goals.

VES has been in contact with nearly 1,000 veterans from ITT Tech and Corinthian, and is advising them on actions they may be able to take regarding their benefits.

Veterans regularly describe to VES various false statements that their school made in order to persuade them to enroll. For example, many veterans describe how their school inflated its job placement rates or the efforts it puts into finding students jobs. Many also report that their school misled them about the accreditation status of its programs or whether its credits transfer to other schools. Many veterans describe how their school promised them that the GI Bill would cover their entire education, only to be told later that they would need to take out loans in order to complete their education. Some even describe learning that officials at their school falsified federal aid applications by forging their names on loan applications.

One veteran told us that his school said it had a 93% job placement rating, and promised that he would have access to a nationwide network of employers. That veteran told us, "It wasn't until near the end of my schooling that I began to realize that a lot of the training I was getting was outdated, in some instances by a few years, and that I had a long way to go until I was up to par with the industry standards. I also found out that . . . my program had a success rate of only 38%. I have student loans that I am going to be paying off for years and really I have nothing to show for it."

Another veteran, Travis, attended ITT Tech. Travis asks, "Why was I getting outdated material? Why were instructors not even competent in what they teach? How could I know more about the subject than my own instructor? This was MADNESS!" He goes on, "What more can we do about this because at the end of the day the veterans are the ones taking the biggest hit! Lost GI Bill that we can't recoup, lost time away from family and friends and nothing to show for it! What about my time going to this school, sleepless nights studying for exams and finals, driving to school, driving home from school? As Veterans, the Education system has to do more for us! They should give us our time back towards our GI Bill that was used. Maybe in the future they will look more into these schools so this type of thing never happens again!"

Those veterans are just a few examples of thousands who served their country, chose to use the educational benefits they earned in the military in order to transition into civilian life, yet later discovered that their school defrauded them, provided a subpar education, and in some cases could not even keep its doors open. Along with wasting their GI Bill benefits, many of these veterans are now saddled with overwhelming student loan debt. As Travis told us, "It's affecting me as well as other veterans. Sometimes just dwelling on it brings me to tears because, in reality,

<sup>1</sup> See Letter to Chairman Phil Roe and Ranking Member Tim Walz from 38 veterans and military service organizations, June 5, 2017, available at <https://static1.squarespace.com/static/556718b2e4b02e470eb1b186/t/59358ee63e00be856f3addb6/1496682216257/GI+Bill+2017+Asks++letter—signed.pdf>

at the end of the day, you honestly feel like a failure. You try so hard to get your education in order and then this happens.”

VES respectfully recommends the Committee allocate funding from the ‘STEM’ provision (Section 110) to provide fuller reinstatement of benefits. VES can support a modified Section 107 as discussed above.

**Section 108.** Inclusion of Fry Scholarship Recipients in Yellow Ribbon GI Education Enhancement Program.

This section would extend the Yellow Ribbon Program to students receiving GI Bill payments through the Fry Scholarship program and those who received a Purple Heart after September 11, 2001. Fry recipients are surviving dependents of servicemembers who died while serving on active duty. VES strongly supports Section 108.

**Section 109.** Additional Authorized Transfer of Unused Post-9/11 Educational Assistance Benefits to Dependents upon Death of Originally Designated Dependent.

This section would allow a veteran to transfer remaining months of GI Bill entitlement to another dependent if the dependent who originally received the transferred benefits dies before that person can use all of the benefits. The section would also allow a dependent to transfer remaining months of GI Bill entitlement to another dependent after the death of the servicemember or veteran. VES supports Section 109.

**Section 110.** Edith Nourse Rogers STEM Scholarship.

This section would authorize VA to provide additional GI Bill funds to certain student veterans enrolled in academic programs in science, technology, engineering or math degrees. They would be eligible to apply for the program, which would pay for the lesser of nine additional months of Post-9/11 GI Bill or a lump sum of \$30,000. The amount of money that could be spent on this program would not exceed \$100,000,000 in any one fiscal year. The estimated cost of Section 110 is approximately \$1 billion over ten years.

VES remains concerned about the STEM provision and believes it fundamentally alters the longstanding principle of equal benefits for equal service rendered to the nation by members of our Armed Forces.

VES appreciates the intent of this provision. It would further the career goals of certain veterans who pursue STEM degrees and potentially benefit the economy over time. These are certainly laudable goals.

However, the provision would overturn a fundamental principle of all GI Bill programs extending back more than 70 years, namely, that all veterans are entitled to the same basic benefits under the GI Bill for the same service rendered to the nation.

With those benefits, veterans are free to pursue any course of study or training approved for the GI Bill that meets their personal and career needs. No veteran should get additional basic benefits on the basis of their field of study or training.

Section 110 would establish a policy that alters this longstanding principle of benefit equity. In effect, it would say that some fields of study are inherently more valuable, thereby relegating non-STEM pursuit to a lesser level of importance to the nation.

A second order consequence of the provision is that lawmakers may be tempted in the future to lower (or raise) entitlement to the GI Bill based on the attributed worth of a program of study. What happens, for example, if STEM degrees fall out of favor or are not seen as important to the economy as business degrees, for example?

Similarly, an unintended consequence of the Section may be to incentivize colleges to artificially increase their tuition, fees and credit requirements. Thus, this provision may create waste, fraud, and abuse - all to the benefit of bad actors. Predatory schools have been known in the past to artificially increase their tuition to take advantage of additional benefits. This was well-documented following the Vietnam War and more recently.

We note that the nation’s finest STEM programs such as at the Massachusetts Institute of Technology and Carnegie Mellon do not require additional time to graduate, raising the question of the necessity of this provision.

There is also a current mechanism for the proposed objective - additional entitlement - at least in part. Veterans with multiple GI Bill program entitlement may use up to 48 months of benefits. For example, Montgomery GI Bill (Chap. 30, 38 USC) participants can use up to 12 months of entitlement and make an irrevocable election for the P911 GI Bill benefit and have 36 months of remaining entitlement for a total of 48 months of benefits. In fairness to all veterans, Section 107 should

be reconciled with current statutory authorities on multiple benefit program entitlement.

Finally, VES is concerned that Section 110 creates a permanent authority for STEM enhanced benefits under new Section 3320, 38 USC. Over time, we believe the mere assumption that a STEM program benefit hike is deserved or needed will be challenged by veterans taking other courses of study. After all, a recent study showed that 53% of GI Bill users graduate with a degree in business. Are they less worthy of enhanced benefits?

If the Committee proceeds with this initiative, VES respectfully recommends as an alternative a 5-year pilot program along the lines of the “coding boot camps” provision in Section 114 to measure degree completions and employment outcomes in STEM fields.

VES also respectfully recommends that some of the funding for Section 110 - approximately \$1 billion over 10 years - be applied to fully restore lost entitlement for defrauded student veterans (Section 107) and to increase entitlement for Survivors under Section 203.

VES is unable to support Section 110.

**Section 111.** Honoring the national service of members of the Armed Forces by elimination of time limitation for use of entitlement.

This section would eliminate the current time limitation to use the GI Bill for new members of the Armed Forces. Student veterans currently have 15 years from the date of their last active duty discharge to use the benefit.

This provision offers enormous potential for supporting future veterans over their lifetime by allowing them to apply unused GI Bill entitlement at various times as their careers, personal needs and aspirations change.

The provision also offers an historic opportunity for the Armed Forces to offer a more compelling enlistment incentive for young Americans contemplating military service. VES strongly supports Section 111.

**Section 112.** Monthly Stipend for Certain Members of the Reserve Components of the Armed Forces Receiving Post-9/11 Educational Assistance.

This section would require VA to pro-rate the GI Bill housing stipend provided to National Guard and Reserve members who are called up for active duty during the middle of a month. Current law prohibits them from pro-rating the stipend so if the reservist is on active duty orders for even one day of a month they lose the entire month's worth of VA housing allowance. VES supports Section 112.

**Section 113.** Improvement of Information Technology of the Veterans Benefits Administration of the Department of Veterans Affairs.

This section would authorize \$30 million to improve GI Bill claims processing and complete their rules-based processing system for these claims. VES recommends the Committee ensure the \$30 million funding for upgrading educational claims processing technologies is earmarked so that the Dept. of Veterans Affairs is prohibited from applying the funding elsewhere in the general operating accounts of the Dept. VES supports Section 113.

**Section 114.** Department of Veterans Affairs High Technology Pilot Program.

This section would authorize VA to conduct a 5-year pilot program that would provide veterans the opportunity to enroll in high technology courses (coding boot camp, IT certifications etc.). VA would enter into contracts with these schools or programs and would provide tuition and fees payments on a sliding scale that incentivizes the schools to graduate the student and ensure they find a job in their field of study. The section would also authorize a living stipend payment equal to the Post-9/11 rate to students while they are using the benefit. Section 114 does not alter GI Bill statutes under Title 38 since the VA will manage the pilot programs directly with contractors. VES appreciates the Committee's inclusion of some quality controls in the authorizing language. VES respectfully urges the Committee to require VA to develop criteria to preclude participation in the pilot by low-quality coding boot camp programs. This can be done without burdening VA by requiring VA to limit its selection to programs that submit evidence to VA their program is recognized and accepted by leading technology employers as sufficient for employment in the field of study.

VES also suggests that the 3-year report to Congress, like the 5-year report to Congress, include whether graduates obtained employment for at least 6 months, and, in both the 3-year and 5-year reports, that employment be clarified to mean “in the field of study.”

VES supports Section 114 provided the additional safeguards noted above are added.

**Section 201.** Work Study Allowance

This section would repeal the sunset date in the law that allows VA work-study benefits for outreach to student veterans and to assist State Approving Agencies. VES supports this provision.

**Section 202.** Duration of Educational Assistance under Survivors' and Dependent' Educational Assistance Program (DEA).

This section would change the number of months of entitlement for individuals who become eligible for the Survivors' and Dependents' Educational Assistance Program from 45 months to 36 months. This would re-align this program with other GI Bill programs that provide 36 months of eligibility for educational assistance. This change would only apply to individuals that become entitled to this program on or after August 1, 2018.

VES notes that the original intent for a 45-month pro-rated entitlement was to enable Survivors coping with their loss while often juggling multiple career and family responsibilities to complete their educations or training. VES recommends the Committee carefully consider the views of the Tragedy Assistance Program for Survivors (TAPS) on Section 202.

**Section 203.** Olin E. Teague Increase in the Amounts of Educational Assistance Payable Under Survivors' and Dependent' Educational Assistance Program (DEA).

This section would increase the monthly payment for educational assistance provided under Survivors' and Dependent' Educational Assistance Program by \$200 a month.

When Congress enacted the Post 9/11 GI Bill in 2008, it also increased Montgomery GI Bill (MGIB) benefits by 20%. Because no matching increase was made to DEA, Survivors and their dependents were left behind. Over time, the value of their benefits has fallen further behind since the annual COLA adjustments, if any, are applied to a smaller base amount. VES strongly supports Section 203. We also recommend an additional increase to DEA to close the gap with the MGIB by reallocating some funding from the STEM provision - Section 110 - to this section (See comment on Section 110).

**Section 301.** State Approving Agency Funding.

This section would increase the funding out of VA's mandatory account for the State Approving Agencies (SAA) from \$19 million a year to \$21 million a year. The section also would authorize VA to provide an additional \$3 million a year to the SAAs out of the Department's discretionary account; and, beginning in fiscal year 2019, require VA to provide a cost of living adjustment increase to the SAAs budget in an amount that equals the same percentage increase as benefits provided under the Social Security Act. VES strongly supports Section 301.

**Section 302.** Authorization for Use of Post-9/11 Educational Assistance to Pursue Independent Study Programs at Certain Educational Institutions that are Not Institutions of Higher Learning.

This section would allow an eligible individual to use their GI Bill benefit for an accredited independent study program (including open circuit television) at an educational institution that is an area career and technical education school or a post-secondary vocational school providing postsecondary level education.

VES is concerned that this provision unwittingly invites predatory behavior by schools offering subpar quality. We recommend quality controls be added. Specifically, the Committee should require that VA put the burden on the school to submit evidence that its program of independent study is recognized and accepted by the regional business area in which the student is located as sufficient for employment in the field of study. In addition, just as the Committee required in its recent Career Ready Student Veterans Act, enacted as part of the Miller-Blumenthal Omnibus in December 2016, the Committee should require that accreditation be either national or regional (since the current drafting would exclude regionally-accredited schools, which include most public and non-profit schools), and that the institution providing the program not provide any commission, bonus, or other incentive program based directly or indirectly on success in securing enrollments. VES does not support the provision in its current form.

**Section 303.** Provision of Information on Priority Enrollment for Veterans in Certain Courses of Education.

This section would require VA to include on its GI Bill College Comparison Tool, information on whether a school has a priority enrollment system in place that allows veterans to enroll in courses earlier than other students attending the school. VES supports Section 303.

**Section. 304.** Limitation on Use of Reporting Fees Payable to Educational Institutions and Sponsors of Programs of Apprenticeship.

This section would allow VA to provide a fee to schools or a sponsor of a program of apprenticeship for the reports or certifications that these institutions are required to submit to VA about the individuals at their school receiving GI Bill benefits. This section would require VA to provide \$16 to the institution for each individual that they certify as using GI Bill benefits at their institution. This section would also require that schools with 100 or more enrollees using GI Bill benefits, may not use the funds received by the institution from the reporting fees for the institution's general fund and that these funds may only be used for veterans programs at that institution. VES supports Section 304.

**Section 305.** Training for School Certifying Officials.

This section would require VA, in consultation with the SAA's, to provide requirements for training for school certifying officials at educational institutions that are approved for GI Bill benefits. This section would also allow VA to disapprove a course of education if a school does not ensure that the school certifying official meets the training requirements.

Section 305 implements a GAO recommendation (GAO Report 16-42) to reduce the incidence of overpayments under the GI Bill. The VA identified \$416 million in Post-9/11 GI Bill overpayments in fiscal year 2014, affecting approximately one in four veteran beneficiaries and about 6,000 schools according to the Report.

The GAO noted that "[O]verpayments also occur when schools make errors, such as reporting enrollment information incorrectly, which VA officials said is sometimes attributable to a lack of training. For example, some school officials routinely made systematic errors reporting enrollment information, creating thousands of dollars in overpayments. Not all school officials attend the different training opportunities VA offers and VA officials said the agency lacks the authority to require school officials to participate in any of them. VA officials said they would like school officials to take a minimum level of training, which could help reduce errors and related overpayments." [emphasis added]. VES strongly supports Section 305.

**Section 306.** Extension of Authority for Advisory Committee on Education.

This section would extend the authority for VA's Advisory Committee on Education from December of 2017 through to December of 2022. VES supports Section 306.

**Section 307.** Department of Veterans Affairs Provision of On-Campus Educational and Vocational Counseling for Veterans.

This section would codify VA's Veterans Success on Campus (VSOC) program, which is administered and overseen by the Vocational Rehabilitation and Employment Service (VS&E). There are currently 94 schools with a VSOC program, which provides a VR&E counselor at each school to assist veterans with their transition from military to college life as well as who provide the support and assistance needed to pursue their educational and employment goals. VES supports Section 307 and strongly recommends the Committee direct the VA to rapidly expand the VSOC program to campuses that have a minimum number of enrolled veterans.

**Section 308.** Provision of Information Regarding Veteran Entitlement to Educational Assistance.

This section would require VA to make available to educational institutions, the ability to view the remaining benefit amount for each veteran attending that institution. This section would also allow the veteran or her dependent (if they are a beneficiary of their GI Bill benefits) to opt out of the school's ability to receive such information from VA. VES supports Section 308.

**Section 309.** Treatment, for Purposes of Educational Assistance Administered by the Secretary of Veterans Affairs, of Educational Courses that Begin Seven or Fewer Days after the First Day of an Academic Year.

This section would provide more flexibility to the school certifying officials if the first day of a course does not start on the first day of an academic term, by allowing the school certifying official to certify the course as beginning on that day first day

of the academic term for purposes of certifying a veteran for GI Bill benefits. VES supports Section 309.

**Section 401.** Eligibility of Reserve Component Members for Post 9/11 Educational Assistance.

This section would make individuals eligible for Post-9/11 GI Bill benefits who serve under Sections 12304, 12304a or 12304b 10 USC orders. Any active duty service under these Reserve component orders retroactive to the date of enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 would apply for such benefits going forward.

In 2012 Congress authorized the Secretary of Defense and Service Secretaries to more easily access the Reserve forces. In addition to call-ups in law for “national emergencies” and “contingency operations,” the Pentagon may call Guard and Reserve service members to active duty for missions that are “pre-planned and budgeted,” i.e., such missions do not require formal action by Congress or the Commander in Chief.

Since enactment of the law-change, the Services have steadily increased their reliance on pre-planned and budgeted call-ups of the Guard and Reserve. Section 401 is extremely important to the nations’ “total force” policy and to the morale and, ultimately, the readiness of our Reserve forces.

As a matter of principle and fairness to our nation’s “operational Guard and Reserve” men and women, there is no reason to exclude them from GI Bill entitlement simply because they serve under the ‘wrong’ orders. VES strongly supports Section 401.

**Section 402.** Time Limitation for Training and Rehabilitation for Veterans with Service-Connected Disabilities.

This section would also make Sections 12304, 12304a and 12304b 10 USC orders eligible for benefits under the Vocational Rehabilitation and Employment program in chapter 31 of title 38, U.S.C. VES strongly supports Section 402.

Veterans Education Success appreciates the opportunity to submit our views on H.R. XXXX, the “Harry W. Colmery Educational Benefits Act of 2017. VES respectfully requests inclusion of this Statement in the official record of this hearing; and, we thank the Chairman, Ranking Member and Members of the Committee for their enduring interest in and support of our nation’s service men and women, veterans, survivors and their family members.

