

# **H.R. 748, H.R. 2551, H.R. 3286, H.R. 3419, H.R. 4138, and Draft Legislation**

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STATEMENT OF  
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BEFORE THE  
VETERANS' AFFAIRS SUBCOMMITTEE  
ON ECONOMIC OPPORTUNITY  
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO

**H.R. 748, H.R. 2551, H.R. 3286, H.R. 3419, H.R. 4138, and Draft Legislation**

WASHINGTON, D.C.

Chairman Wenstrup, Ranking Member Takano and members of the Subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I want to thank you for the opportunity to present the VFW's views on today's pending legislation.

## **H.R. 748, GI Bill STEM Extension Act of 2015**

The VFW supports this legislation, which would grant an additional nine months, or one academic year, of Post-9/11 GI Bill benefits to student veterans pursuing degrees in specified fields of science, technology, engineering, and mathematics (STEM) that require

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more than the standard 128 credit hours for completion. Veterans would also be eligible for the additional benefits if they have already earned a degree in a STEM field and are pursuing a teaching certificate.

Those who graduate with STEM degrees position themselves for employment in increasingly high demand, good paying jobs. Simply put, the VFW believes that offering an additional nine months of education assistance is a good investment in veterans' futures and, therefore, our national economy. Veterans who choose to enter these programs should be given the opportunity to complete them without exhausting their benefits before earning their degrees.

### **H.R. 2551, Veterans' Entry to Apprenticeship Act**

The VFW supports this legislation, which would require VA to treat certain pre-apprenticeship programs as apprenticeship programs for the purposes of providing educational assistance. Only those pre-apprenticeship programs that are compliant with state standards or approved by a sponsor in states that have no such standards would be covered.

The VFW strongly supports allowing veterans to use their GI Bill benefits for apprenticeship programs, preparing them for good paying jobs in the high demand skilled labor field. Still, some veterans who wish to enter a trade lack the basic qualifications needed for entry into a registered apprenticeship program. By allowing them to use their education benefits to enroll in pre-apprenticeship programs, this bill would help them build the necessary skills and competencies they need to enter and succeed in the apprenticeship programs of their choice.

### **H.R. 3286, Honoring Investments in Recruiting and Employing American Military Veterans Act of 2015 or "HIRE Vets Act"**

In much the same way the Employer Support of the Guard and Reserve (ESGR) program gives awards to employers in recognition of the support they provide their employees who serve in the National Guard and Reserve and their families, the HIRE Vets Act provides a private sector employer recognition through the HIRE Vets Medallion program. The program has four levels of awards, bronze through platinum, with each level requiring the employer to hire and retain more veterans and provide more services to their veteran employees.

The VFW supports H.R. 3286, but would like to offer two suggestions to improve the bill. In Section 3(b)(1)(B)(ii) the bill states "such employer provides support to each of its employees who are performing active duty service in the United States National Guard or Reserve, including by providing to each such employee a guarantee of employment following such employee's active duty service." Under the Uniformed Services Employment

and Reemployment Rights Act (USERRA) employers are required by law to preserve employment for service members serving on active duty. The VFW suggests that this provision be replaced with an employer-sponsored USERRA training program. This will ensure that both the supervisors and veteran employees understand their rights and responsibilities under USERRA.

The VFW also suggests that Section 3(b)(1)(C)(iv) of the bill be rephrased to emphasize the training program would provide specific training that is geared to bridge any gaps between a veterans military training and experience and the requirement to fulfill the duties of the job they have been hired to perform. The VFW wants to thank Congressman Cook for his vision and we look forward to working with him to improve this legislation.

### **H.R. 3419, Support for Student Veterans with Families Act**

The VFW supports the intent of this legislation, which would authorize VA to make up to 50 grants to educational institutions for the purpose of providing child care services to student veterans. The funding could be used to establish or expand campus child care centers, or to pay the cost of child care services. We believe that this is warranted, as a lack of quality child care could significantly impact a veteran's ability to successfully complete their education goals.

The bill requires that at least 75 percent of new child care services funded by the grant must go to student veterans. While we do not see significant harm in allowing excess services to be used by non-veteran students and faculty, we would object to any student veteran being denied services or placed on a waiting list behind a non-veteran under any circumstances. To prevent this from happening, we suggest that the bill be amended to include a priority of services clause for student veterans. With that change, the VFW would fully support the legislation.

### **H.R. 4138, A bill to authorize the Secretary of Veterans Affairs to recoup relocation expenses paid to or on behalf of employees of the Department of Veterans Affairs.**

When government employees are asked to relocate in the interest of the government, the department or agency requiring the relocation has the authority to pay for the employee's travel and relocation expenses. However, if an employee abuses the relocation expense program, it is unclear if the Secretary has the authority to recoup any of the relocation payment. H.R. 4138 provides the Secretary the clear authority to require an employee to repay all or some portion of the amount provided through the relocation expense program. The bill also affords employees an opportunity for a hearing by another department or agency before any repayment can be enforced.

The VFW supports H.R. 4138, believing that when an employee games the relocation

expense program for personal gain or unintentionally receives payments that are not authorized, the Secretary must have the authority to recoup those funds.

### **Draft Legislation, Veterans Success on Campus Act of 2016**

The VFW supports this legislation, which would establish the Veterans Success on Campus (VSOC) program as a permanent program in title 38. Beginning as a VA pilot project at the University of South Florida in 2009, the VSOC program has now grown to 94 campuses nationwide. By assigning Vocational Rehabilitation and Employment counselors to these campuses, student veterans are provided with convenient access to education and career counseling, as well as information on VA health care and other benefits. The VFW strongly supports VSOC, believing it greatly enhances student veterans' opportunities for a successful transition to civilian life. Accordingly, we codify it as a permanent VA program.

### **Draft Legislation, GI Bill Oversight Act of 2016**

This bill takes comprehensive steps to eliminate deceptive and misleading practices conducted by institutions of higher learning.

Section 2 requires the Office of the Inspector General (IG) to conduct investigations on institutions of higher learning that are under investigation by a state or federal agency, are the defendant in a class action suit, or have been found guilty of deceptive or misleading practices.

This Section also calls on the IG to inform beneficiaries who are enrolled in an institution of higher education that the school is under investigation and the reason for the investigation. Along with this notification the IG will provide information that will assist students in transferring credits to another institution of higher learning, and as part of the GI Bill Comparison Tool, the Secretary will make this information available to veterans who are researching their educational options.

Section 3 provides VA with the authority to disapprove these courses of education from receiving GI Bill funding and restore lost benefits for beneficiaries who are enrolled and receiving benefits when disapproval occurs.

The VFW supports this legislation. Veterans can only make quality decisions regarding their education options if the information they use to make those decisions is complete. This bill ensures that veterans will have improved information as they search for a school and a program that best meets their educational goals and needs, and if a veteran is deceived into attending a program that is disapproved during an academic period, the veteran should be made whole by reimbursing that semester of education benefits back to the veteran. The VFW looks forward to working with the Committee to pass this important piece of legislation.

**Draft Legislation, To make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance, and for other purposes.**

This legislation makes several administrative changes to the Post-9/11 GI Bill, most of which the VFW supports.

Section 2 allows veterans to use their Post-9/11 GI Bill entitlement for licensure and credentialing tests, based on the prorated cost of the amount of the fee charged for the test. Often, veterans need to take licensure and certification tests in order to become credentialed in their chosen professions in their home states. Currently, veterans may use the Post-9/11 GI Bill to pay for these tests; however, they are charged a full month of benefits for each test. This is not the case under the Montgomery GI Bill, which subtracts only the exam fee from the overall entitlement to education assistance. This is a more favorable system for the veteran, since license and exam fees typically cost far less than a month of full time tuition and fees at an institution of higher learning. The VFW supports this section, which would allow veterans seeking licenses and credentials to retain the maximum amount of educational assistance with which to achieve other academic and professional goals.

Section 3 extends the rounding down of the percentage increase in educational assistance VA may pay to certain institutions of higher learning for ten years. The VFW opposes round downs, as they require veterans to pay for their earned benefits.

Section 4 extends the authorization of the Veterans' Advisory Committee on Education through 2021. The Advisory Committee is currently set to expire at the end of 2016. The VFW supports the extension, believing that the committee is critical to identifying the challenges facing student veterans and presenting responsible solutions to the Secretary directly from industry stakeholders.

Section 5 would mandate VA provide requirements for the training of school certifying officials at schools approved for education assistance. It would also authorize VA to disapprove those schools whose certifying officials do not meet the requirements. An October 2015 report by the Government Accountability Office (GAO) found that nearly one in four student veterans and 6,000 schools received overpayments in 2014. These overpayments result in debts that must be repaid. One of GAO's recommendations for reducing overpayments was better training for school certifying officials. The VFW supports that recommendation and this section of the bill.

The VFW supports section 6, which codifies VA's ability to adjust a veteran's housing allowance payments on a prorated basis, in the case where a veteran reduces his or her number of credits to below the full time enrollment rate.

Section 7 clarifies that reporting fees paid to educational institutions by VA must be used

solely for making certifications required by law or otherwise supporting veterans programs, and may not be used for or merged with the school's general fund. The VFW supports this section.

**Draft Legislation, To direct the Secretary of Labor to carry out a research program to evaluate the effectiveness of the Transition Assistance Program in addressing the needs of certain minority veterans.**

The VFW supports this legislation, which would require research into how the Transition Assistance Program (TAP) addresses the unique needs, challenges, and post-military service aspirations of women veterans, veterans with disabilities, Native American veterans, and other groups as the Secretary considers appropriate. It would also require recommendations on any changes that could be made to TAP to address any differences that are identified. We believe this data could be useful in the Department of Defense's continuing efforts to ensure that the TAP curriculum is as effective as possible for all transitioning veterans.

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

**Information Required by Rule XI2(g)(4) of the House of Representatives**

Pursuant to Rule XI2(g)(4) of the House of Representatives, the VFW has not received any federal grants in Fiscal Year 2016, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.