

LEGISLATIVE HEARING ON H.R. 357, H.R. 562,  
H.R. 631, H.R. 844, H.R. 1305, H.R. 1316, H.R.  
1402, A DRAFT BILL ENTITLED “IMPROVING  
JOB OPPORTUNITIES FOR VETERANS ACT OF  
2013,” AND A DRAFT BILL ENTITLED “TO  
AMEND TITLE 39, UNITED STATES CODE, TO  
EXTEND THE AUTHORITY TO PROVIDE WORK-  
STUDY ALLOWANCE FOR CERTAIN ACTIVITIES  
BY INDIVIDUALS RECEIVING EDUCATIONAL AS-  
SISTANCE BY THE SECRETARY OF VETERANS  
AFFAIRS”

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HEARING  
BEFORE THE  
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY (EO)  
OF THE  
COMMITTEE ON VETERANS’ AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES  
ONE HUNDRED THIRTEENTH CONGRESS  
FIRST SESSION

WEDNESDAY, APRIL 10, 2013

**Serial No. 113-13**

Printed for the use of the Committee on Veterans’ Affairs



U.S. GOVERNMENT PRINTING OFFICE

80-452

WASHINGTON : 2014

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**LEGISLATIVE HEARING ON H.R. 357, H.R. 562,  
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RETARY OF VETERANS AFFAIRS”**

**Wednesday, April 10, 2013**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS’ AFFAIRS,  
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY,  
*Washington, D.C.*

The Subcommittee met, pursuant to call, at 10:00 a.m., in Room 334, Cannon House Office Building, Hon. Bill Flores [Chairman of the Subcommittee] presiding.

Present: Representatives Flores, Runyan, Coffman, Cook, Wenstrup, Takano, Brownley, Kirkpatrick.

Also Present: Representative Miller.

**OPENING STATEMENT OF CHAIRMAN BILL FLORES**

Mr. FLORES. Good morning, everyone. The Subcommittee will come to order.

We have a total of nine bills before us and a host of witnesses, so I promise to keep my opening statement brief.

Two of the nine bills before us today are bills I introduced earlier this year. The first is H.R. 631, the Service Members Choice and Transition Act of 2013, which I introduced with Ranking Member Takano.

This bill is meant as a follow-on to the VOW to Hire Heroes Act that would improve the Transition Assistance Program or TAP as we call it for separating servicemembers.

The VOW Act made TAP mandatory for all but a very few servicemembers and since the enactment of that bill, the services and the Administration have nearly completed an overhaul of the TAP Program for the first time in decades.

From what I have heard from veterans and my staff, though, the new curriculum is much improved, but more can be done.

DoD has created several tracks or courses for servicemembers that focus on some of the most common transition paths the servicemembers take when separating. These tracks focus on the following areas: Education, Vo-Tech, Employment, and Entrepreneurship.

These tracks are meant to provide in-depth knowledge on these topics and allow servicemembers the choice in picking training that best fits their transition goals. Unfortunately, that option is not included in the mandatory portion of TAP.

For example, if a veteran was planning to go to college and use their Post-9/11 GI Bill, the education track would help them decide whether they are ready for post-secondary education and, if not, how to get ready. This will allow them to determine what should be their education or training goal, what schools would be best to meet their education or training goal, how to complete the admissions process, and, finally, how to finance their education or training.

[Slide]

Mr. FLORES. As you can see from this slide on the screen, the Post-9/11 GI Bill benefit can provide over \$270,000 over four years at one of the most expensive schools in the country, in this case Stanford University.

If taxpayers are going to provide this generous benefit, it is our duty to ensure that our military men and women and our veterans know how to make the best use of this benefit.

As I said, from everything we have heard from DoD and as they will shortly testify to as well, they will not require that these tracks be part of the mandatory portion of TAP.

As a non-mandatory option, servicemembers could take the optional track only if their supervisor would allow them to miss more days of work or if they do not meet the still undefined career readiness standards.

Regarding these standards, how can we expect the commanding officer to reasonably determine whether a servicemember's individual transition plan accurately reflects the attainable objectives given the infinite variations in a member's life.

Therefore, I believe that H.R. 631 would fill that gap by making the optional tracks of the mandatory portion of TAP—while making the optional parts—tracks part of the mandatory portion of TAP while giving the services the flexibility to meet these requirements.

As you can see on the screen, the model I am proposing provides each servicemember with an executive summary of each track followed by time to take the track of their choice along with the classes on VA benefits and service-specific separation counseling. The model shows five days, but it could be done in seven or eight days, whatever it takes to get the job done.

It is important to note that this model is based off the system that the Marines have been piloting with great success for some time.

My second bill, H.R. 1316, seeks to codify the roles and responsibilities of directors of Veterans' Employment and Training or DVETs as they are known. DVETs are Federal employees who represent the Veterans' Employment and Training Service on the state level and whose primary responsibility is to oversee the DVOPs

and LVERs who are funded by the Jobs for Veterans State Grant Program.

Curiously, Title 38 contains no specific responsibilities for the DVETs. It only says that there shall be DVETs and assistant DVETs.

The performance of the DVOPs and LVERs programs continues to be a topic of concern for this Committee and by codifying the responsibilities of DVETs, we will strengthen our position with the state to improve the performance of the DVOPs and LVERs, something I am sure that we agree must happen.

With that, I am happy to yield to the Ranking Member, Mr. Takano, for any opening statement he may have.

[THE PREPARED STATEMENT OF HON. FLORES APPEARS IN THE APPENDIX]

#### **OPENING STATEMENT OF HON. MARK TAKANO**

Mr. TAKANO. Thank you, Mr. Chairman, and good morning.

I would like to thank everyone for joining us and I would like to thank our witnesses for taking the time to testify and answer our questions.

We have a number of bills before us today which extend or redefine important veterans' programs like the Post-9/11 GI Bill, Veterans' Vocational Rehabilitation and Retraining, Transition Assistance, Work-Study, and participation in U.S. Paralympics programs, among others.

I have to take a breath after all that list of programs we are going to cover.

I want to thank Chairman Flores for introducing H.R. 631, which I have co-sponsored. I support this bill and I am interested in making the optional tracks in the Transition Assistance Program mandatory.

The bill requires that additional time be spent helping warriors understand the educational training and employment resources they have earned and how and where to access them.

Mr. Chairman, I want to highlight two bills that I have sponsored. The first one is the VetSuccess Enhancement Act, H.R. 844, which extends by five years the time period when veterans with service-connected disabilities are eligible to enroll in VA Vocational Education and Rehabilitation programs.

Veterans with traumatic brain injury or spinal cord injury often require years to complete rehabilitation and adjust to the new realities of the basic activities of daily living. Once this has been achieved, those who wish to return to work and need vocational rehabilitative services have often passed the 12-year eligibility period and many other veterans do not become aware of this program until they are no longer eligible.

My legislation will give these veterans five additional years to receive this help.

The second bill I introduced is the Work-Study for Student Veterans Act. It is a five-year extension of the Veterans Work-Study Program at the Department of Veterans Affairs.

As an educator and community college trustee, I know how important these programs are to students, allowing them to earn a little extra cash to live on while they attend school. The VA pro-

gram pays veterans to assist other transitioning veterans in navigating VA's claims and benefits system.

It is an important program to veteran students in my district and to thousands of others in schools across the country. Without my legislation, it will expire at the end of June.

Thank you, Mr. Chairman, for scheduling this hearing to review these bills. I look forward to the testimony and the discussion we will have today.

[THE PREPARED STATEMENT OF HON. TAKANO APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Takano.

I also am happy to co-sponsor your Work-Study Program bill with you and I think it will be a great opportunity and improve our veteran services.

Mr. TAKANO. Thank you.

Mr. FLORES. We will now hear from any other Members who wish to make opening statements about the bills they have introduced or for anything else related to this hearing.

Any—

Mr. COFFMAN. Mr. Chairman.

Mr. FLORES. Mr. Coffman.

#### **OPENING STATEMENT OF HON. MIKE COFFMAN**

Mr. COFFMAN. Thank you, Mr. Chairman.

Thank you, Chairman Flores and Ranking Member Takano, for holding this legislative hearing today. And I am pleased to have my two pieces of legislation be a part of the discussion.

The first bill which I introduced along with Representative Mark Takano is H.R. 1402, the Veteran Paralympic Act. The bill would extend through the 2018 fiscal year a joint program operated by the U.S. Department of Veterans Affairs and the U.S. Olympic Committee that funds grants to a host adaptive sports programs for disabled veterans across the country.

The Veterans Paralympic Act will ensure that disabled veterans in local communities throughout the country continue to have opportunities for rehabilitation, stress release, and higher achievement through adaptive sports.

The U.S. Olympic Committee's Paralympic chief, Charlie Huebner, who will testify today, has said he is proud to support its reauthorization. I am proud to lead the effort to extend and support this important program.

Additionally, my bill, H.R. 1412, the Improving Job Opportunities for Veterans Act of 2013, seeks to increase the availability of on-the-job training and apprenticeship programs to help veterans make the transition to the civilian workforce.

This legislation will build on an existing yet little known and underutilized on-the-job training program that assists veterans by allowing them to use their educational benefits that they have earned through their military service to learn a trade or a skill by participating in an approved apprenticeship or on-the-job training program.

There are three pillars of the legislation. First, this bill will highlight this program by requiring the secretary of Veterans Affairs to



initiate a public information campaign about the availability of on-the-job training programs for eligible veterans.

Second, the bill will decrease the final percentage of the veteran's salary paid by the employer from 85 percent to 75 percent as a means to further incentivize employers to participate.

And, lastly, the legislation will expand this training program by opening it up to agencies of the Federal Government including the VA.

This bill will be a great tool for both private sector and Federal employers to hire our veterans who are struggling to make that transition from the military to the civilian workforce.

I want to thank all the panelists and I look forward to hearing their thoughts as well as those of the other Members of the Committee on these important bills.

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

Mr. FLORES. Thank you, Mr. Coffman.

I ask unanimous consent that Chairman Miller, the Chairman of the Full Committee, be permitted to sit at the dais and ask questions. Hearing no objection, so ordered.

I now recognize Chairman Miller to talk about his bill, H.R. 357, or for any other purposes.

#### **OPENING STATEMENT OF CHAIRMAN JEFF MILLER**

Mr. MILLER. Thank you very much, Mr. Chairman. I appreciate you holding this hearing and giving me the opportunity to talk to you just a little bit.

With your permission, I would like to respond to some of today's written testimony on H.R.s and 357 and 631.

And let me first begin by saying state schools, and I am a proud graduate of a state college, really cannot have it both ways.

First, the intent of my bill is to expand education opportunities for veterans by making all public schools more affordable and that Dr. Aldridge's testimony in my opinion is factually wrong in stating that veterans already enrolled in an institution would be denied GI Bill benefits through my bill. The bill is really clear in stating that their benefits will continue. The denial applies only to enrollments after the effective date.

Second, while it may be difficult to change residency requirements, it is an opportunity for the appropriate governing bodies and those bodies that determine tuition rates to recognize the contribution of the one percent who defend the 99 percent. And in my view, it is the least that the 99 percent can do for veterans.

Thirdly, Dr. Aldridge's statement that veterans could be forced to seek other likely costlier programs is exactly what this bill is designed to prevent.

According to the College Board, the average nonresident tuition rate at public four-year schools is \$21,706 while resident rates average \$8,655. That is an average of 250 percent increase over in-state tuition rates and in many states, the increase is about 300 percent for nonresidents.

My bill would reduce what is often a \$24,000 tuition and fee bill to under \$9,000 on average.

Dr. Aldridge also expresses concern about confusion. Confusion will only happen if the school does not make residency requirements clear during the admissions process.

And, more importantly, the passage of H.R. 357 will remove any such confusion. A school will either be approved or not approved for new enrollments under the GI Bill.

Regarding how tuition is determined, Dr. Aldridge is suggesting that veterans be treated less favorably than many nonresident non-veterans. Take this for an example.

Forty-six of 50 states belong to one of four regional compacts which give significant tuition discounts at state institutions to non-resident students from states within that very regional compact.

For example, the southern regional education board offers in-state rates to students from the 16 states. Students from the 15 states who are enrolled in schools in the western undergraduate exchange program pay 150 percent of the in-state rate.

Students from the nine state Midwestern student exchange program also pay the 150 percent rate at participating state schools and even get a ten percent discount at many private institutions.

And, finally, students from the six states in the New England regional student program receive an average tuition discount of almost \$7,000.

Also of note, some states have adopted legislation to allow children of undocumented immigrants to attend at in-state rates.

In its broadest application, my bill would simply encourage a national approach to what many states are doing already on their own. And in the end, it is the right thing to do for our veterans.

So despite Dr. Aldridge's concerns about overreaching and the states' rights, I would remind her that Federal dollars usually come with requirements, whether mandating that states provide in-state rates for active duty servicemembers, drinking age of 21 as a condition to receive Federal highway funding, or Federal contributions to states for Medicaid just to name a few.

And, finally, while I really do appreciate Dr. Aldridge's suggestions, two of the four proposals would require additional Federal funds to the states, another example of wanting it both ways.

Since the Post-9/11 GI Bill already pays full tuition and fees at state schools, it eliminates the need for state schools to participate in the Yellow Ribbon Program for most veterans.

I would note that VA is now already investing \$11 and a half billion, \$11 and a half billion in post-secondary education and training and I believe our colleges and universities are benefitting just as much as are our veterans.

Briefly a couple of thoughts, if I might, Mr. Chairman, on H.R. 631. I find the testimony from the three departments really shortsighted to put it mildly.

The failure of the model imposed on the services to include detailed training on the tracks as part of the mandatory curriculum, especially the education track, is a disservice to both the soon to be veteran and the taxpayer alike.

And, additionally, for an Administration that has made so much about what they describe as schools preying on veterans, I find the reluctance to include the tracks as part of the mandatory curriculum totally inconsistent with those concerns.

So with that, Mr. Chairman, I wholeheartedly support your legislation and that legislation that is being heard today. Thank you so much for letting me speak out of order and I yield back my time.

Mr. FLORES. Thank you, Mr. Chairman, for joining us today.

Congresswoman Kirkpatrick, any opening remarks?

Mrs. KIRKPATRICK. No.

Mr. FLORES. Okay. And thank you.

Anybody else on our side? Mr. Wenstrup.

#### **OPENING STATEMENT OF HON. BRAD WENSTRUP**

Mr. WENSTRUP. Thank you, Mr. Chairman, and thank you, Ranking Member Takano.

I rise today in support of H.R. 1305 which is a bill to help veterans gain access to vital job training programs. Currently, homeless veterans are eligible for job training and placement services under the Homeless Veterans Reintegration Program.

Unfortunately, the Department of Labor concluded that veterans who are participating in the HUD-VASH Voucher Program, which is a Veterans Affairs' supportive housing voucher program, are not considered truly homeless and, therefore, they are ineligible for the very program that will help them reenter the workforce and get them back on their feet.

Now, our troops are people of action and our veterans have sacrificed deeply for our country. And we should not let Washington bureaucracy stand in the way of assisting those who need help the most.

This legislation will help homeless veterans find housing and meaningful employment and elevate themselves out of poverty into self-sufficiency, free from government dependence. So I urge your support of this.

And, Mr. Chairman, I yield back my time.

Mr. FLORES. Thank you, Mr. Wenstrup.

Mr. Cook?

Mr. COOK. No comment.

Mr. FLORES. Mr. Runyan?

Mr. RUNYAN. No.

Mr. FLORES. And I believe that is it, so I will thank the Members.

And I will now introduce our first panel. Our first witness will be Mr. Curtis Coy from the VA who is accompanied by Mr. Danny Pummil. Next we will have Dr. Susan Kelly from the Department of Defense. Finally, we will have Mr. Keith Kelly from the Department of Labor. Mr. Kelly is the new Assistant Secretary for Veterans' Employment and Training.

Congratulations to you, Mr. Secretary, and welcome.

Each of you will have five minutes to summarize your testimony and your complete written statement will be made part of the hearing record. Thanks to each of you for being here, and let's start with Mr. Coy.

**STATEMENTS OF CURTIS L. COY, DEPUTY UNDER SECRETARY FOR ECONOMIC OPPORTUNITY, VETERANS BENEFITS ADMINISTRATION, U.S. DEPARTMENT OF VETERANS AFFAIRS, ACCOMPANIED BY DANNY PUMMILL, DIRECTOR, VETERANS BENEFITS ADMINISTRATION/DEPARTMENT OF DEFENSE PROGRAM OFFICE, U.S. DEPARTMENT OF VETERANS AFFAIRS; SUSAN KELLY, DEPUTY DIRECTOR, TRANSITION TO VETERANS PROGRAM OFFICE, U.S. DEPARTMENT OF DEFENSE; KEITH KELLY, ASSISTANT SECRETARY, VETERANS' EMPLOYMENT AND TRAINING SERVICE, U.S. DEPARTMENT OF LABOR**

**STATEMENT OF CURTIS L. COY**

Mr. COY. Thank you very much, Mr. Chairman, and good morning, Mr. Chairman, Ranking Member Takano, and other Members of the Subcommittee. Thank you for the opportunity to discuss VA's views on pending legislation.

As you noted, Mr. Chairman, accompanying me this morning is Mr. Danny Pummill, Director of the VBA/DoD Program Office.

We appreciate the Committee's attention to the important subjects that these bills cover, particularly with respect to TAP leveraging Post-9/11 GI Bill, changes to VRAP, vocational rehabilitation programs, and the continuation of veterans' Paralympics Program.

In the interest of time, I will highlight and summarize a few points from my written statement.

VA is happy to support H.R. 844, the VetSuccess Enhancement Act, which would extend to 17 years for enrollment in VA Vocational Rehabilitation and Employment services. That will allow VA to provide those eligible individuals the help they need over a longer period of time.

We are also pleased to support H.R. 1402 which will allow VA to continue its support for adaptive sports programs for disabled veterans and disabled servicemembers. These programs offer remarkable and inspiring opportunities for those who have sacrificed for our country.

Turning to other bills on the Committee's agenda, H.R. 357, the GI Bill Tuition Fairness Act, would direct VA to disapprove courses of education provided by public institutions of higher education that do not charge veteran students tuition and fees at an in-state rate regardless of their state of residence.

While VA is sympathetic to the issue of rising educational costs, it is difficult to endorse the proposed legislation until we know more about the impact. We would be happy to work with the Committee and our educational partners to better understand how this might affect or limit veterans in their course or school offerings.

H.R. 562 would extend VRAP for an additional three months through 30 June 2014. It would also require an interim report on the program not later than 30 days after the date of the bill's enactment.

We support extending VRAP the additional three months to give vets additional time to complete their degree or certificate program. We do, however, recommend a longer period of time to submit the interim report called for in the bill. Allowing VA and DoL addi-

tional time to collect sufficient data will ensure the most accurate reporting of VRAP's successes.

H.R. 631, the Servicemembers Choice in Transition Act of 2013, would amend the TAP Program which provides employment and job training and assistance and related services for servicemembers separating from the active duty and for their spouses. It would add a new subsection imposing specific requirements in statute for TAP's format and content.

We appreciate the strong interest and support from the Committee to ensure departing servicemembers are given full and effective engagement on their benefits and employment and training opportunities as they separate from active duty.

However, we cannot offer VA's support for this legislation as we believe current initiatives with the same aims including the VOW to Hire Heroes Act and the Veterans' Employment Initiative should be given the opportunity to be fully implemented and assessed before embarking upon further legislation.

We would be pleased to brief the Committee on the implementation of TAP as part of VEI and to work with the Members to continue to improve and enhance the program.

Public Law 107-103 established a five-year pilot program to expand qualifying work-study programs to include outreach programs with state approving agencies, administration activities at national and state veterans' cemeteries, and assisting with the provision of care to veterans in state homes.

This program is currently due to expire on 30 June of this year. This draft bill would extend authority for these activities for an additional five years.

VA does not oppose this legislation, but would prefer the legislation provide a permanent authorization for these work-study activities.

Finally, the Improving Job Opportunities for Veterans Act of 2013 would amend VA's on-the-job training programs. The legislation would temporarily adjust the percentage of starting wages an employer must provide by the end of the program from 85 to 75 percent.

VA believes this change could help increase training opportunities for veterans. As well, the draft bill would require VA to enter into agreements with other Federal agencies to operate their own OJT programs.

VA supports the intent of this section. However, we do not believe it is necessary as VA has been able to strike numerous agreements with Federal agencies for OJT under the authority we now have.

There are two other provisions in the bill which VA will provide its views on in a follow-up letter to the Committee.

Mr. Chairman, that concludes my statement. Thank you for the opportunity to appear before you today. We would be pleased to respond to any questions you may have or other Members of the Subcommittee.

[THE PREPARED STATEMENT OF CURTIS L. COY APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Coy.

Mr. COY. Yes, sir.

Mr. FLORES. Dr. Kelly.

**STATEMENT OF SUSAN KELLY**

Ms. KELLY. Good morning, Chairman Flores, Ranking Member Takano, and distinguished Members of the Subcommittee. I appreciate the opportunity to be here today joined by my colleagues from the Department of Veterans Affairs and Labor and to share the Department of Defense's views on the legislation being considered by the Subcommittee.

My remarks this morning will be limited to H.R. 631, the Servicemembers Choice in Transition Act of 2013, which would amend Section 1144 of Title 10, United States Code pertaining to the Transition Assistance Program or TAP.

The department's cost estimate for this bill is currently under development.

As you know, TAP is the cornerstone of the department's transition efforts and is a collaborative partnership among the DoD, the VA, and DoL. It is the primary platform used to deliver an array of services and benefits information to our separating servicemembers.

While we believe the intent of H.R. 631 is to improve the transition process for separating servicemembers, we have concerns over how it would if enacted contradict the requirements of the VOW to Hire Heroes Act of 2011 codified in Chapter 58, Title 10, U.S. Code.

The VOW Act was intended to prepare transitioning servicemembers to join and be competitive in the labor market by using the skills, knowledge, and experience they have acquired during military service.

The department is unable to support this bill as we believe it would not only undermine the progress already made in the redesign of the TAP, but would also potentially disadvantage our servicemembers and our ability to ensure they are career ready upon separation from the military.

The redesigned TAP including a new curriculum called transition GPS, goals, plan, success, is aligned with the VOW Act which requires all servicemembers discharged or released from active duty after serving their first 180 continuous days or more to participate in pre-separation counseling, VA benefits briefings, and the DoL employment workshop.

With limited exemptions, the VOW Act requires the DoL employment workshop to be a mandatory portion of the TAP. H.R. 631 conflicts with the VOW Act by making the employment workshop an optional track for separating servicemembers.

The department agrees with the original intent of the VOW Act that all servicemembers benefit from taking the employment workshop regardless of their immediate plans upon leaving military service because they will need job search skills at some point.

The heart of the redesigned TAP is the career readiness standards or CRS. The standards correspond to deliverables that all servicemembers must meet prior to separation. The value of the CRS in ensuring servicemembers have the tools they need to become productive members of our labor workforce cannot be overstated.

The employment workshop currently requires three full days of adult learning instruction which would be limited to two days under the optional election prescription of H.R. 631. The shortened timeframe reduces the ability of the employment workshop to provide the needed job search skills for our servicemembers to meet the new CRS.

The prescriptive timeframe reduces the ability of the entire redesigned TAP to evolve into the military life cycle of TAP and mature to keep pace with changes in adult learning to adjust to include skills building that our servicemembers tell us they need and respond to developments in the job search arena.

The DoD, military departments, and our interagency partners are successfully implementing the redesigned TAP to enable our servicemembers to meet career readiness standards. DoD believes that the best course of action at this time is to continue the implementation of the newly redesigned TAP in accordance with the VOW Act and the recommendations of the veterans' employment initiative task force.

We will continue to work with your staff to keep this Subcommittee updated on our progress.

Mr. Chairman, that concludes my statement. On behalf of the men and women in the military and their families, I thank you and the Members of this Subcommittee for your steadfast support and your leadership in this important area. I am happy to answer any questions you or the other Members of the Subcommittee may have.

[THE PREPARED STATEMENT OF SUSAN KELLY APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Dr. Kelly  
Secretary Kelly.

#### **STATEMENT OF KEITH KELLY**

Mr. KELLY. Good morning, Chairman Flores, Ranking Member Takano and distinguished Members of the Subcommittee. Thank you for the opportunity to participate in today's hearing on the pending legislation.

My name is Keith Kelly and I am honored to serve as the Assistant Secretary for the Veterans' Employment and Training Service at the Department of Labor. I look forward to working with each of you to ensure that the brave men and women who serve this country have the support they need to succeed in the civilian workforce.

I will use my time here today to highlight some of the department's views on the labor related legislation before the Committee. I respectfully defer to my colleagues here at the table from DoD and VA on the remaining pieces of legislation.

First, I would like to discuss H.R. 562, the VRAP Extension Act of 2013, which would extend by three months an important program created by the VOW Act.

DoL has been working diligently with the VA and others to implement VRAP and specifically by conducting research, developing guidance, identifying high demand occupations, verifying applicants' initial eligibility, and providing services to veterans before, during, and after they participate in the VRAP.

The department supports this legislation. However, we recommend limiting any interim report to include administrative data only. We defer to the VA on the best elements and timeframe for the submission of this report.

The next bill I would like to discuss is H.R. 631, the Servicemembers' Choice in Transition Act of 2013. This legislation would amend the Transition Assistance Program as we all refer to and commonly know as TAP under Section 1144 of Title 10.

TAP is an interagency effort designed to provide transitioning servicemembers and their spouses with the support they need to successfully transition to the civilian workforce.

As part of TAP, the department provides a comprehensive three-day employment workshop at U.S. military installations worldwide.

The department has serious concerns with H.R. 631, and I would like to highlight a few of them.

First, the Department of Labor is concerned that the legislation would impede Labor's efforts to fulfill our obligations under the VOW Act which made participation mandatory for most transitioning servicemembers.

In addition, the VOW Act mandated that we transition to all contractor facilitation to ensure a standardized curriculum which we have just done.

DoL is also concerned that H.R. 631 would impede the implementation of the new employment workshop, again working with our fellow agencies, as well as the interagency transition GPS training and delivery model.

The department has been working with our fellow agencies and others for the past several years to completely redesign the employment workshop, and during that process, the department sought input from a variety of sources and conducted numerous pilot programs, curriculum reviews, and surveys to ensure that we develop the best possible product.

We also worked with the VEI task force to incorporate the new curriculum into the GPS model as a three-day transition program for separating servicemembers.

In the last few months, we rolled out the new curriculum in all the military installations worldwide. While the preliminary results have been very positive, Labor remains committed to working with this Committee to continually review and update the curriculum.

As a result, the department believes this legislation is unnecessary and would negatively impact transitioning servicemembers at this time.

The third bill I would like to discuss is H.R. 1305, which would expand eligibility for the Homeless Veterans Reintegration Program commonly known as HVRP to include incarcerated veterans and veterans participating in the VA HUD Supportive Housing Program.

The department supports this legislation which would allow DoL to be responsive to the service needs for all these populations.

And, finally, I would like to address H.R. 1316. This legislation would amend Section 4103 of Title 38 and legislatively prescribe the duties of our state directors for Veterans' Employment and Training better known as DVETs.



The department appreciates the intent of this legislation. However, the Department is concerned that as drafted, H.R. 1316 would unduly prescribe the duties of our DVETs and remove much of the managerial flexibility.

Moreover, many parts of the bill are duties the DVETs already perform which are assessed as a part of their annual performance appraisal.

Finally, the department is concerned that this legislation would be problematic to implement.

So in conclusion, as Members of the Committee and the Subcommittee know, over the next five years, one million servicemembers will transition from active duty to civilian life and we do owe them the best possible services and benefits our Nation can provide.

The Department of Labor is firmly committed to working with this Committee and others to fulfill that sacred obligation.

That concludes my statement. I am pleased to answer any questions you may have.

[THE PREPARED STATEMENT OF KEITH KELLY APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Secretary Kelly.

And I thank all of you for your testimony today. Let's start with the questioning, if we can, and I will begin.

The first question is for Dr. Kelly. As we talked about in my opening statement, the Marine Corps has a model that is working fairly well and that is reflected in H.R. 631.

Are you saying that the model that has been successfully implemented by the Marine Corps is less effective in preparing servicemembers, the NAP that is being imposed by the DoD on the services?

Ms. KELLY. Actually, DoD, you used the term imposing. The services were at the table in developing this entire curriculum and we started with the basics of what we wanted the servicemembers to separate with as they became veterans.

That set the baseline for the career readiness standards. So we started with career readiness standards and then we developed the curriculum to provide the skills building that the servicemembers needed to provide the deliverables to meet the career readiness standards.

That is how all of the curriculum was developed and the services were all engaged in that. So the imposition in reference to the decision type memorandum was the curriculum developed with the services, the services coordinated on the decision type memorandum across the board, and that is the format that they have been implementing.

As far as success, I do not think we are there defining what model is successful yet. That is exactly my concern. We are only in the middle or, actually, we are just starting implementing the transition GPS. We have only piloted the transition GPS core curriculum.

We have not fully piloted the three tracks that were developed by the task force. We are going to be piloting those across the next several months, assessing those just as we did rigorously in the core curriculum, take the results of those track pilots, modify those

curriculums, and then launch them fully. We have until October of 2013 to do that.

So the assessment of success of the marine model has not yet been determined is the bottom line. So I just caution you on that particular assumption. The curriculum with all of the tracks as well as the capstones have not been fully assessed yet.

We need time to do that which is exactly the point of my concern. We need time to implement. We need time to fully assess the curriculum across all of the services and how each one of the services choose to implement the capstone also. There are pieces that are not yet fully in place. So that is my concern.

Mr. FLORES. One of the things you mentioned was career readiness standards. So the question is, what are career readiness standards? And I have sort of a rhetorical question to go with that and that is, would you consider a servicemember who intends to attend college after separation but who has not been allowed to attend the new education track as being ready for transition? Does that fit the definition of career readiness standards?

Ms. KELLY. That is a very good question and I thank you for that.

The servicemember who is choosing to use their Post-9/11 or who was planning or exploring that option to use their Post-9/11 GI Bill either in higher education or in a technical training institute chooses that path, that means they have chosen those career readiness standards that they have to meet.

So we expect them to provide the deliverables to show that they are career ready in the paths that they have chosen. They choose the path that they are going to take. They provide those deliverables.

But those are the paths that we are—the tracks that we are talking about right now, higher education, technical training, and entrepreneurship. Those tracks are in addition to the mandatory employment career readiness standards.

So in following the VOW Act, the department and all of the partners have implemented a program where you have core curriculum and core CRSs. You have career readiness standards that meet the employment requirements across the board. Everyone has to provide those career readiness standards. And if they choose another path, they have to provide those career readiness standards also.

But it was the view of the task force and, of course, as imposed by the VOW to Hire Heroes Act that everyone attend the DoL employment workshop. And we agreed with that. Everyone, whether they go into higher education, technical training, they all are going to need those skills to join the labor force.

Mr. FLORES. My time has expired. I am going to recognize Ranking Member Takano for his questions.

Mr. TAKANO. For the Veterans Affairs Department, can you talk a little bit about your Work-Study Program and its successes?

Mr. COY. Thank you very much, Mr. Takano, Congressman Takano.

Our Work-Study Program is a pretty extensive program. The extension on this is just for those pieces that expire this year. We do a wide variety of other work-study type programs.

For example, we do outreach programs. We do preparation and processing of paperwork at VA facilities, educational institutions, hospitals, medical treatment centers, and a number of those other things.

So our future outreach efforts that we are working on now is, we are developing a communication plan in conjunction with our state approving agencies and that association to help us put that together so we can issue good and updated guidance that will encourage that sort of outreach through the schools for our Work-Study Program.

We are also looking at enhancing our call center scripts for those students that are calling in. We are updating our portfolio of outreach products to include brochures, our Web sites on VetSuccess, as well as our GI Bill Web site.

We are also looking at displaying work-study products on our e-benefits Web site. And we are also on a routine basis promoting them through our social media channels meaning Facebook and Twitter and some of those other things.

Mr. TAKANO. Great. Thank you.

Do you have any recommended changes for H.R. 357? I mean, I know that you are a little cautious on what its effects might be, but do you have any thoughts on any changes that you would make?

Mr. COY. I do not know that we have specific recommended changes, Congressman Takano. We are looking at it and our caution is, as we look at any proposed legislation or new program, we sort of box it into sort of two key elements and one is do no harm to veterans and what are we hoping to accomplish with doing this.

As you know and as Chairman Miller pointed out as well, the in-state tuition requirements vary across all 50 states and within schools. And one of our concerns is could, or might, or how would we help design a program that would not limit choices to our veterans such that we could figure out a way for our veterans to have as many choices and informed choices as possible.

I think perhaps the other issue that we would like to look into is currently it applies only to veterans as we read the proposed legislation. It does not apply to spouses and dependents and some of the other beneficiaries. And so we need to understand that impact as well.

Mr. TAKANO. Help me understand the legislation. Does it still require students to meet the residency requirements or does it allow for waivers of residency requirements completely? Do you know?

Mr. COY. I am sorry. I—

Mr. TAKANO. I am wondering if this requires that veterans who have access to education, education at state colleges, at in-state tuition rates, not have to qualify for residency at all?

Mr. COY. It is my understanding, sir, and, again, each state has its own residency requirements and then, of course, each college has their own in-state tuition requirements as they relate to those residency requirements, it is my understanding that this bill would require that any school that does not agree to provide in-state tuition rates to veterans would not be eligible for GI Bill benefits or Post-9/11 GI Bill benefits.

Does that answer your question?

Mr. TAKANO. I am trying to determine whether the residence requirements are just waived for the veterans so that if they move into a state, they do not have to meet the usual requirements.

Mr. COY. I would suggest that the legislation requires that the school waive the residency requirements such that they would be charged in-state tuition.

Mr. TAKANO. Okay.

Mr. COY. I hope I answered that.

Mr. TAKANO. Yes, you did.

Mr. COY. Thank you.

Mr. TAKANO. Thank you.

Mr. COY. Yes, sir.

Mr. FLORES. Thank you, Mr. Takano.

I will comment here that 357 does not define residency, so we are not interfering with any state law with respect to residency. It really just says that the schools will charge the in-state rate. So it does not mess with the definition of residency.

With that, I will now recognize Mr. Coffman for five minutes.

Mr. COFFMAN. Thank you, Mr. Chairman.

Mr. Coy, in your written statement, you failed to take a position on Section 2 of H.R. 1412, the on-the-job training bill, which required the VA to undertake a public relations campaign to promote the OJT apprenticeship program.

How does the Veterans Administration or Department of Veterans Affairs currently promote this program?

Mr. COY. Thank you. That is a very good question, sir.

We promote the program through a number of different ways, many of them very similar to the kinds of things that I mentioned earlier for the Work-Study Program.

Interestingly enough, we are working through many of our SAAs to develop, you know, increased awareness in the program. And so what we are doing is we are working with those national associations, NASAA being the most prominent. We are working with the president and vice president of NASAA to help us formulate additional outreach campaigns and ways that we can streamline the OJT program because we probably are not leveraging it to the extent that we should or might.

Mr. COFFMAN. When did you start this process because the participation rate has just been extraordinarily low in this program? So are you just merely planning this process or are you executing a plan at this point in time?

Mr. COY. We started this process probably about six months ago and had those discussions with the SAAs. I have given talks at several of their conferences.

With respect to OJT, last year we had about 2,500 people participate in the program. The year before it was about 5,600. So you are right. It has dipped down in the last year.

Mr. COFFMAN. Mr. Coy, in your written statement on H.R. 1412, again, the OJT bill, you said that you did not need additional authority to encourage other Federal agencies to use the program.

How many Federal agencies use the VA OJT program to help train new workers?

Mr. COY. Yes, sir. There are sort of two parts to the question or to my answer. The first part is right now we have agreements with

15 other Federal agencies, and we will be happy to provide you that list, for over 50 occupations on a national level. In other words, if there is an occupation in Department of Homeland Security, it applies to any of those occupations throughout the 50 states.

What we do not have good information on are those local agreements that we have OJT agreements with. But I will tell you that we do have national agreements with 15 agencies for about 50 different occupations.

Mr. COFFMAN. Okay. I understand you are going to supply some additional written materials to the Committee on that. And could you state where the statutory authority is for you to do that because I do not read that in current law?

Mr. COY. I will have to take that for the record, sir, and we will get back to you on what that specific statutory requirement and/or regulation that we are citing to be able to do that.

Mr. COFFMAN. Very well.

Mr. Chairman, I yield back.

Mr. FLORES. Thank you, Mr. Coffman.

Ms. Kirkpatrick, you are recognized for five minutes.

Mrs. KIRKPATRICK. Thank you, Mr. Chairman.

My first question is for each member of the panel. Do you support making the additional specialized tracks mandatory?

And let's start with you, Mr. Coy.

Mr. COY. I think right now, as I stated in my written testimony, what we would like to do now is assess where we are. We are currently running essentially three different TAPs because TAP is now mandatory for servicemembers. So we are still doing, if you will, old TAP the way we did it in years past so we can make sure that we are doing TAP for those individuals.

We are rolling out the new TAP Program and we are piloting and building the TAP GPS Program. So we are sort of riding these three bikes as we are going forward. And I would suggest that probably what we would like to do is be able to implement those programs before we have legislative requirements to do something additional.

Mrs. KIRKPATRICK. Dr. Kelly.

Ms. KELLY. I think what I would like to have happen is to give us time to roll out the redesigned program and to assess that. But I would also like to have that considered in light of our second phase and the end state for the Transition Assistance Program.

And that is for this curriculum to be rolled out and implemented across the military life cycle so that the issue of time becomes less important and it is the outcome of the curriculum that the services and our partners have determined is most important for our servicemembers to ensure that they are career ready. And we focus on the skills building as evidenced by them meeting the career readiness standards.

I also would ask for the time consideration to be held back because we are also developing a virtual curriculum. And all of this curriculum is going to be provided virtually so that members can go to that Web site and go through the training on their own time, complete the activities on their own time, the deliverables on their own time, and do that over and over and over again as they want

to and so that all of the tracks via a virtual curriculum is available to everyone. But we need time to do that.

We are now engaged with all of our partners, taking the curriculum and modifying that into a virtual curriculum with specific standards, and putting that on the Department of Defense's joint knowledge online so that military members will go to that Web site where they get their other military training and preparation for separation after their military—their military careers is a part of that military life cycle.

So I think what I would prefer is to give us time to make this entire curriculum, this entire TAP redesign, and the career readiness standards value added to all of our servicemembers and they can explore multiple tracks and the curriculum on their own time rather than mandating a specific track for each one of them.

Mrs. KIRKPATRICK. So it sounds like you think that keeping flexibility in the system is better for your students than having a mandatory imposed track?

Ms. KELLY. I agree. I would say that I support the VOW Act mandate of the Department of Labor's employment workshop track because whether they choose higher education, technical training, whatever track that they choose, they are going to need the job search skills eventually to join the labor force.

And those skills that the Department of Labor is building in their current employment workshop is very, very exciting and eye opening for our servicemembers right now at the locations where they are providing that new curriculum.

It is exciting to watch those servicemembers start to document their experiences, translating those military skills and experiences, practicing their elevator speeches, and actually have the opportunity on that third day to watch someone role play interviewing with an employer and a servicemember, and then actually having to practice those interview skills, very value added.

Mrs. KIRKPATRICK. Thank you, Dr. Kelly.

Ms. KELLY. And that is what our focus is, value added.

Mrs. KIRKPATRICK. Thank you.

I have about ten seconds left. Secretary Kelly, I would just like to hear your answer.

Mr. KELLY. Thank you, Congresswoman.

The department appreciates the intent of this legislation a lot to provide more education and skills training for our servicemembers. But we share the same concerns as my fellow colleagues do here today.

We have just rolled this out on January of this year after several years of pilots and after a lot of times spent working with the agencies and the services, putting together the best minds and the experts together to redesign the curriculum, so respectfully look at let's try this walk before we run, see how this core program curriculum really works going forward.

And as both of my colleagues have alluded to, Dr. Kelly specifically said the value of the core curriculum helps you if you want to be an entrepreneur. The value of the core curriculum really helps you if you want to go to school. There is a lot of self-assessment and training.

So we are pretty excited about what is going on here and the reports have come back very positive——

Mrs. KIRKPATRICK. Thank you.

Mr. KELLY. —on this new revised TAP. Thank you.

Mrs. KIRKPATRICK. Thank you to all the panel.

And thank you, Mr. Chairman, for your courtesy in allowing me to exceed my time.

Mr. FLORES. Thank you, Ms. Kirkpatrick.

Mr. Wenstrup.

Mr. WENSTRUP. Thank you, Mr. Chairman.

I would like to go back a little bit further in the whole process of transition from being a member of the military to being enrolled in the VA.

And perhaps that is a question for you, Mr. Pummill, is what is the process, how do you become aware of someone who has left military service and become part of the VA?

Mr. PUMMILL. Right now we will do it through the transition program. Prior to the transition program that we have in place right now because of the VOW Act, it was if a servicemember went through their transition program and the VA provided them the information at a briefing, I believe the marines had a mandatory program, the other services, it depended on your rank and your time and service and stuff, so there were some cases where we did not find out about veterans.

Mr. WENSTRUP. So you would like to have their service record perhaps? Would that be helpful to you?

What I am getting at is it seems to me when I talk to veterans, and I am a veteran, that there is a wall, that when they leave the military that there is a wall and they have to start over when it comes to transitioning into the Veterans Administration.

Would anyone on the panel have any objection that if the DoD would automatically electronically, rather than through snail mail, get their service record to you, so you know who these people are, so you can find them and get them engaged in the process? Would that be helpful?

Ms. KELLY. That was one of the concerns of the VEI task force. And one of the focuses of the career readiness standards and the work of the task force to build those bridges between our servicemembers to Veterans Affairs and to the Department of Labor.

And one of the career readiness standards that is now in place is that our military members have to register into VA's e-benefits. So they are fully registered. They are VAs for life after that. So they are registered in e-benefits.

But the other piece is that capstone that I alluded to earlier and the capstone will be where commanders, the representatives verify the career readiness standards. And if there is a missed career readiness standard, there will be hand-offs to both the Department of Labor and VA. So we have very much focused on building that bridge.

Mr. WENSTRUP. It has come to my attention that a lot of this is done through like snail mail rather than you automatically getting the servicemember's records, their skill sets.

And my question to you is, would that be a benefit that would automatically transfer to you so that you know who your veterans are, what their skills are, and to get them more rapidly into a program that fits their needs and also find jobs for them that fit their skills?

Anyone can take it.

Mr. PUMMILL. Yes, Congressman.

I think that, you know, anything we can get is good. And we are working several projects with Department of Defense right now. One is this year, we will start getting their service treatment records sent to the VA electronically. I believe the turn-on date is October of this year. So they will be getting all of those electronically.

We already get from several of the services now the DD-214s electronically and I cannot remember which service we are not getting it, but we are getting a download, an electronic download so we can see the discharge date and the information on the DD-214s.

We are still working on trying to compile that data so that it is a fully electronic transfer to the VA. We are also working with the Department of Defense on a task force for all their records, the 201 files, dental records, et cetera. The army has an electronic 201 file which we now have access to through the Department of Veterans Affairs.

The goal from in—VBA—my boss, Secretary Hickey, is that she wants every record that she could get from the Department of Defense in electronic format. And we have teams and Committees working on that right now. The only one that we have locked in is the service treatment record which will also be certified as a full and complete record, too, so we do not have to do additional searches and stuff like that.

I think we are on track to get most of those, but I think it is a good idea.

Mr. WENSTRUP. Well, I think that can streamline things and very much help our troops through the transition process and certainly I hope that we will be encouraging of that effort from this end.

And I appreciate your approach of servicemember for life. As our troops enter the service, it should not end on the day they take off that uniform. It continues on through you and we should make that very smooth.

And I yield back my time.

Mr. FLORES. Thank you, Mr. Wenstrup.

Congresswoman Brownley.

Ms. BROWNLEY. Thank you, Mr. Chair.

I just have one question regarding the transition situation. So I have heard from lots of veterans that, and I know the current program is trying to address the situation, but where vets are so anxious to get out that they are not really focused on the programs that are being offered and then, you know, six months down the road or a year down the road or whatever, they are concerned and the resources are not there available.

So I heard you mention virtual curriculum and I would imagine that would address that one particular issue. I am wondering if you have any other strategies to address that problem.



Ms. KELLY. Well, one of the important strategies is within the Department of Labor and that is at their American job centers. And I will let Mr. Kelly speak to that.

Mr. KELLY. Thank you, Congresswoman.

To follow-up on that, what we are really looking at are four touch points with that because you are correct when you are coming and processing out, you are ready to go home and not get slowed down on the way out.

One of those touch points would be, we made it as best as possible, about 70 days out, to check in with those folks through the American job center network of 2,700 offices nationwide, how are things going, are you in school, do you have a job, or are there some issues that have now kind of, as you have settled down, that perhaps we want to revisit that and plug them back into all of those services, the employment training services available out there to them.

So we have reached it now, not just as they walk out the door, you got a job or not, let's check back in up to 70 days to see how things are really going on that. That is one of the approaches used on that through, as I indicated, the 2,700 locations around the country.

Ms. BROWNLEY. But there is not any access for veterans who a year down the road are reconsidering what their future might look like and rather than—a virtual curriculum is good in one way, but really trying to determine what their future might be, where their desires are.

Is there any way in which to interact to kind of discuss what their potential career paths can be?

Mr. KELLY. Yeah. Thank you, Congresswoman.

I think you raise a good point. The TAP Program itself is really a lot of self-assessment to where do I really think I am headed down life and what are the things that are important to me. And that is mandatory to kind of do that. First, flesh those things out.

Then, you know, if it is for an individual who is sitting out there six, eight months, a year out still not quite sure what they want to do ahead and perhaps decided not to do an entrepreneurial track or not to go to some advanced education, those American service centers are still there to give them priority of service.

So they are available to them on an ongoing basis. It does not just end after 30 or 60 days. They are out there. The real estate is constantly out there to service those people.

Ms. BROWNLEY. And do all of our veterans know that, that that service is available to them?

Mr. KELLY. Thank you, Congresswoman.

I think that is a challenge. We are ramped up inside the Department of Labor to make sure we get the word out better that that is out there. That is a major outreach effort that we have undertaken that it is out there. They will know that through the TAP process of processing out in the capstone program. They will know that.

Whether they can find that two and four and six months of all of the things they process out, I do not know, but it will be provided to them ahead of time.

Ms. KELLY. If I might add to that, one of the career readiness standards is the gold card from the Department of Labor that thoroughly explains to them there are job centers available to you and you have priority status for six months after you separate and report to the American job centers. Again, that is part of that bridging.

Ms. BROWNLEY. Thank you very much.

Thank you, Mr. Chair.

Mr. FLORES. Mr. Coy, it looked like you had a response.

Mr. COY. I was just going to add one further comment, Congresswoman, and that would be, VA is also engaged in doing their own job fairs. We have done three rather large ones. And in those large job fairs, we bring those veterans in. We help them with resume writing. We connect them with employers who are there specifically to hire veterans.

We are also partnering with the Chamber of Commerce's hire our heroes efforts. They were doing well over 400 job fairs across the country and we are partnering with them as well. And many of those job fairs where we send VA representatives there to help them, not only fill out their educational benefits or any of their other benefits, but to make sure that they understand that they logged into the e-benefits system, but as well are aware of any education or other benefits they may have coming to them.

Mr. FLORES. Thank you.

If there is no objection, we will start a second round of questions. I think we had a few issues that were left unresolved.

Mr. Pummill, one of the things you said a minute ago is that the DoD was going to begin the electronic records transfer to the VA.

Now, is that a truly electronic interoperability or is it just an electronic PDF?

Mr. PUMMILL. For the service treatment record, now it is electronic PDF. It just gives us the record in electronic format so that we do not have to get it mailed, express mail or certified mail, whatever we are doing right now. And we make sure we get one for every single servicemember that leaves. But, yes, it is still a PDF.

Mr. FLORES. Okay. Well, it is a better step in the right direction. At least you have taken the mail out of the equation. And it is not this Subcommittee's jurisdiction, but what the whole Committee is looking for is true electronic interoperability between DoD and VA.

Dr. Kelly, what if we just merely added the education and entrepreneurship tracks to the current five-day program that you talked about today?

Ms. KELLY. I am not sure I understand. We have the core five-day curriculum in place now. We are piloting the other tracks. So they are in addition to the five-day core. The tracks for higher education, technical training—

Mr. FLORES. Let me—

Ms. KELLY. —as well as entrepreneurship, I am not quite sure I—

Mr. FLORES. Let me be a little bit more specific then.

Ms. KELLY. Okay.

Mr. FLORES. Maybe I was inelegant in the way I asked it.

What if we said that one of those has to be mandatory should a servicemember choose to take one of those? In other words, add a day or two to the program so that a young man or woman that desires to go to school or wants to open up their own business has that as part of their mandatory training?

Ms. KELLY. I think there are lots of opportunities for us to look at the curriculum and how this might play out in the long term.

And I would like the opportunity to discuss that with you and all of the Members, but I would be hesitant at this time to say what should be additional, what additionally should be mandatory. I will leave it at that, but I would like to discuss some of those options.

Mr. FLORES. Okay. I am going to recognize Ranking Member Takano for five minutes.

Mr. TAKANO. Thank you, Mr. Chairman.

Secretary Kelly, in your testimony, you state the initial implementation of VRAP was met by redirecting internal funds.

How much was the cost of this initial implementation?

Mr. KELLY. Thank you, Congressman.

The Department of Labor's Employment and Training Administration redirected \$5.4 million for the initial implementation of the VOW Act, including VRAP. Funds supporting the Department's VRAP responsibilities, such as providing technical assistance and meeting additional IT needs, are available through June 2013. In order for the Department to continue fulfilling its responsibilities if VRAP were extended through June 2014 and to complete program closeout activities, we estimate that \$237,000 for technical assistance staff support and \$400,000 for additional IT, or a total of \$637,000, is needed. Since no funds have been appropriated for these activities, the Department will again need to redirect funding from other employment and training programs.

Mr. TAKANO. Okay. And how many reports is your department required to submit to Congress at this time on an annual basis?

Mr. KELLY. Mr. Chairman, I do not have that information with me, but I will certainly get it for the record.

(DO L SUBSEQUENTLY PROVIDED THE FOLLOWING PARAGRAPH AND CHART)

The Department of Labor reports to Congress each year on the programs, training and enforcement responsibilities we have to serve and protect our Veterans and transitioning servicemembers. On an annual basis, the Department is required to provide Congress with the following reports:

Name of Report	Citation	Information Required	Due Date
<b>U.S. Department of Labor USERRA Annual Report to Congress</b>	Veterans' Benefits Improvement Act of 2004 (P.L. 108-454) Title 38 Section 4332(a).	Reporting the number of cases reviewed and investigated by DOL, DOD, OSC and the Attorney General..	July 1st of each year.

Name of Report	Citation	Information Required	Due Date
<b>U.S. Department of Labor USERRA Quarterly Report to Congress</b>	Veterans' Benefits Improvement Act of 2008 (P.L. 110-389) Title 38 Section 4332(b).	Requires information on the number of complaints and the number of referral requests received by DOL on or after October 10, 2008 that exceeded the statutory deadlines of 90 and 60 days, respectively..	30 days after the end of each fiscal quarter..
<b>VETS Annual Report to Congress</b>	38, United States Code, Sections 8 U.S.C. §§ 4107(c), 4212(c), and 4215(d) 4212(c), and 4215(d)), and Title 38, US 4212(c)(d)..	The report describes the programs and activities for which the OASVETS has primary responsibility and the number of veterans receiving priority pursuant to subsection (a)(2)(B)..	February 1 of each year.
<b>Advisory Committee on Veterans Employment, Training and Employer Outreach (ACVETEO) Annual Report</b>	Title 38 USC Section 4110(f)(1).	The report is on the employment and training needs of veterans, with special emphasis on disabled veterans, from the previous year..	December 31 each year.
<b>Secretary of Labor's comments to ACVETEO</b>	Title 38 USC Section 4110(g)	Submit to Congress a copy of the Annual Report with any comments concerning the reports the Secretary considers appropriate..	60 days after receiving the ACVETEO Annual Report.

Mr. TAKANO. My next question is, were there any reports that you would recommend eliminating? You can also get back to me later as well.

Mr. KELLY. Thank you, Mr. Chairman, Congressman Takano.

I will get back with you on that with regards to our assessment from staff on those reports.

Mr. TAKANO. Mr. Chairman, I yield back.

Mr. FLORES. Okay. Thank you, Mr. Takano.

Mr. Coffman, any questions for you?

Mr. COFFMAN. Thank you, Mr. Chairman.

Mr. Coy, I stand corrected in terms of your statutory authority to do the program. What the bill does that I was referencing, House Resolution 1412, is that it requires you, because this program in terms of allowing veterans to utilize their educational benefits for on-the-job training and apprenticeship programs, the fact that it is so poorly utilized, again, the bill requires you to do an informational program. It does not give you the discretion. It merely says you shall do an informational program to raise the participation rate among veterans.

And then, secondly, obviously lowers the requirements for the employer in terms of salary which I believe you support that, the Veterans Administration supports that provision.

And then, lastly, the third provision is not that you do not have the statutory authority to reach out to other Federal agencies. It says that you shall reach out to other Federal agencies and enter into agreements in order to expand participation, expand options for veterans in terms of employment and training.

And so I just wanted to clarify that so there is no requirement that I expressed to you. I expressed to you earlier, asked you to come back to the Committee for your statutory authority, but that is not required in further reading of the bill.

Thank you, Mr. Chairman. I yield back.

Mr. FLORES. Thank you, Mr. Coffman.

Ms. Kirkpatrick.

Mrs. KIRKPATRICK. Thank you, Mr. Chairman.

I just have one question. This is a follow-up on Secretary Kelly's statement that the initial implementation would cost \$273,000.

My question is to you, Mr. Coy, what is the overall cost estimate for H.R. 1402, the Veteran Paralympic Act?

Mr. COY. You want a cost?

Mrs. KIRKPATRICK. Cost estimate.

Mr. COY. Currently is \$10 million. Two million goes toward the athletes and many of their stipends and then \$8 million goes to the grant program.

Mrs. KIRKPATRICK. Okay. Thank you.

I yield back. Thank you, Mr. Chairman.

Mr. FLORES. Thank you, Ms. Kirkpatrick.

Mr. Wenstrup.

Mr. WENSTRUP. Thank you, Mr. Chairman.

Just to parlay on what you brought up about the electronic transfer of records and how we are doing it, and I think that you can weigh in on this a little bit, sometimes I think a PDF is the important way to go.

What I have been made aware of is sadly some of the prevalence of fraud when we have used snail mail, for example, to send someone their DD-214 and then they submit it to the VA and they have made changes on that.

You may want to address some of the prevalence of that because I am not really aware of the numbers, but just want to make the point that I agree with you that we should make it a more smooth transition of electronic records. But sometimes a PDF is important to cut down on the potential for fraud.

And maybe, Mr. Pummill, you could address that a little bit.

Mr. PUMMILL. I do not have any figures on fraud. I am not sure right now. But I do know that the PDF is good and it is good because the quicker we get the information, it is electronic information and it is certified by the Department of Defense as accurate information, we can get services and benefits to servicemembers faster and more accurately. And there is no mistakes.

Sometimes we do get a lot of DD-214s right now that are hard to read or have been destroyed or mangled, things like this. This eliminates all that and makes it much easier for the veteran.

More importantly, it gets a permanent record so you do not have a situation where a veteran comes back 20 years from now and wants to submit a claim and we are not able to find the record because it did not get mailed to the right place or he did not keep a copy or something like that.

The goal is to eliminate all of that. And the first step for us is we will take the PDF. We will take whatever we can get while they are working on the long-term interoperability of records and stuff

like that. But we want electronic official files in every case that we can possibly get.

Mr. WENSTRUP. Thank you.

I yield back.

Mr. FLORES. Mr. Wenstrup, thank you.

Ms. Brownley, no questions?

Ms. BROWNLEY. No further questions. Thank you.

Mr. FLORES. Okay. Well, thank you.

If there are no further questions, the witnesses are excused with our thanks.

And I would ask the second panel to come to the witness table. With us today are Mr. Charlie Huebner with the U.S. Olympic Committee, next Dr. Susan Aldridge with the American Association of State Colleges and Universities followed by Colonel Michael Denning from the University of Kansas who is testifying on behalf of the Association of Public and Land Grant Universities, and, finally, we have Lieutenant General Joseph F. Weber from my alma mater, Texas A&M University.

Thank each of you for being here and as soon as we are seated, we will start with the testimony.

Okay. Thank each of you for joining us today, and we will start with Mr. Huebner.

You are recognized for five minutes.

**STATEMENTS OF CHARLES HUEBNER, CHIEF OF U.S. PARALYMPICS, U.S. OLYMPIC COMMITTEE; SUSAN ALDRIDGE, SENIOR FELLOW, AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES; G. MICHAEL DENNING, DIRECTOR OF GRADUATE MILITARY PROGRAMS, UNIVERSITY OF KANSAS ON BEHALF OF ASSOCIATION OF PUBLIC AND LAND GRANT UNIVERSITIES; JOSEPH F. WEBER, VICE PRESIDENT FOR STUDENT AFFAIRS, TEXAS A&M UNIVERSITY**

#### **STATEMENT OF CHARLES HUEBNER**

Mr. HUEBNER. Good morning. Thank you, Chairman Flores, Member Takano, and Members of the Committee.

My name is Charlie Huebner and I am with the United States Olympic Committee and also a proud alum of Northern Arizona University.

Member Kirkpatrick, thank you for your service in a beautiful area of the country.

It is an incredible honor to have the opportunity to submit a statement and testify before the Subcommittee in support of H.R. 1402 which extends the authorization for the highly successful, innovative, and cost-effective, and that is the word I am going to emphasize significantly throughout my testimony, cost-effective partnership between the United States Olympic Committee and the Department of Veterans Affairs to provide Paralympic sports and sustainable physical activity opportunities for disabled veterans at the community level.

Paralympic programs are sports for physically disabled athletes founded by veterans post World War II as a significant component of the rehab process using physical activity, something that our

servicemembers and veterans understand very clearly, and also a little bit of competition.

Research has proven that Paralympic sport and physical activity is an impactful aspect of successful rehabilitation for disabled veterans.

Research-based outcomes from consistent physical activity for disabled veterans include higher self-esteem, lower stress levels, lower secondary medical conditions, and higher achievement levels in education and employment.

At the beginning of combat operations, the U.S. Olympic Committee expanded its services at its own cost to injured servicemembers and veterans by providing training, technical assistance, Paralympic ambassadors at installations, military medical centers, and in communities throughout the United States.

As combat escalated, Congress reached out to the USOC asking us to do more. I applaud the leadership especially of this Committee and the leadership in Congress which realized that collaboration between the public and private sector, between government agencies, nonprofit organizations, and private business could expand expertise and capabilities and program awareness in a cost-effective manner.

Legislation that was implemented in 2010 allowed the USOC and the VA to significantly grow available program that today is reaching more than 16,000 veterans in communities all over the United States.

The authorization for this program expires at the end of 2013 and it is imperative to continue to not only deliver programming but, more importantly, expand programming in communities where there is a great need is absolutely critical.

Innovation, collaboration, and cost efficiencies are core to the USOC as an organization. It is critical to our success and this partnership is a great example of that.

Injured military personnel and veterans are the soul of the Paralympic movement. When discussing the Paralympic movement, we have two primary objectives. One, as Americans, we want to pursue excellence.

And I passed out an article I just received about an hour ago from Goldman Sachs. I had the great fortune of being with Lieutenant Navy Brad Snyder, Navy Lieutenant Brad Snyder last week in front of 500 Goldman Sachs' partners on a Veteran Mentor Day.

Brad was injured a year ago in Afghanistan. He is totally blind today. He used swimming as his rehab. He swam at the Naval Academy and it was swimming that gave him confidence again and made his family realize that he could jump back into life. He went to London and won three medals for his country, but, more importantly, today he is going through that transition process. And sport has been a significant component of his rehab.

Goldman Sachs hired 14 of the 15 mentors that are veterans last year and they had 30 new mentors on the day that we were there with Brad Snyder. And that is a specific example of how important ambassadors are to what we do in this program.

In terms of highlights, and I will just focus on that, a core component of what the U.S. Olympic Committee is focused on are the

more than 350 member organizations that we work with on a daily basis that touch every single community in this country.

Since 2010, the VA and the USOC have distributed more than 350 grants to community organizations with an emphasis on developing sustainable physical activity programming, not just elite Paralympic sport. As one veteran said, an army ranger who lost both legs in Afghanistan, all he wanted to do was learn how to run with his son. Our emphasis is both elite sport, but the majority of our emphasis is daily physical activity for veterans to be physically active with their friends and families, simply skiing again with your buddies in Colorado.

More than 350 grants. Of those grants that we provided, the organizations we provided those grants are providing the majority of the funding to implement programming. That is a core message that I wanted to emphasize to this Committee is all the organizations we are working with are providing staffing and funding much more significantly than what the reauthorization is. And that is a critical component to the cost efficiencies.

With that, I just wanted to thank the Committee again for your leadership. Congressman Coffman, a marine, Ranking Member Takano, thank you for introducing the bill, and thank you for your support.

[THE PREPARED STATEMENT OF CHARLES HUEBNER APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Huebner.

Dr. Aldridge, you are recognized for five minutes.

#### **STATEMENT OF SUSAN ALDRIDGE**

Ms. ALDRIDGE. Thank you.

Chairman Flores, Ranking Member Takano, and distinguished Members of the Committee, my name is Susan Aldridge. I am currently a senior fellow of the American Association of State Colleges and Universities, commonly known as AASCU, and on whose behalf I appear before you this morning.

Prior to AASCU, I served as president of the University of Maryland University College and formerly as vice chancellor at Troy University in Alabama. Both of these two state universities serve a large population of active duty servicemembers and veterans.

AASCU represents 420 state institutions and university systems across 49 states, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. And the common foundation for these institutions is their focus on students.

Thank you for holding this hearing and for providing me with the opportunity to present testimony regarding H.R. 357, the GI Bill Tuition Fairness Act.

H.R. 357 would require the secretary of Veterans Affairs to deny GI Bill benefits to veterans who are not charged tuition rates equal to the in-state tuition rate. Moreover, this bill would not allow any veteran or their dependent enrolled at public institutions to receive GI Bill benefits if that institution does not offer in-state tuition to all veterans, thus cutting benefits to veterans in the future.

The VA's testimony this morning highlighted a number of our concerns as well. AASCU supports the underlying promise of treat-



ing veterans as in-state residents and strongly supports the educational endeavors of our veterans.

However, passage of H.R. 357 will potentially result in unintended consequences that I will address in more detail.

Most public colleges and universities do not set their tuition policy. Currently ten states allow individual public institutions to set tuition policy. Post-secondary tuition policy in the remaining 40 states is set by state legislatures or a statewide coordinating board.

In addition, many states have a very clear set of criteria as to which students are allowed to be given in-state tuition benefits.

This is further highlighted by a passage from the state higher education executive officer's February 2011 report which says, and I quote, states were asked to describe the process through which tuition levels are set. The variety of answers given underscores that there are as many processes for setting tuition as there are states. In many states, the process is a multi-step process involving many entities, unquote.

Given the complexity of relying on 40 different state entities to change policies, it is quite likely that institutions will not have the ability to charge in-state rates even if they desire to do so.

Veterans wanting to enroll in public institutions in those states would need to seek other costlier programs in order to utilize their GI Bill benefit by moving to another state that offered in-state tuition or attending a more expensive private not-for-profit or for-profit college.

This creates a scenario of confusion since many veterans arrive on our campuses with the full expectation of receiving their GI Bill benefit.

Non-residency occurs for many reasons and in many situations. If they are located in a state that is unable or has yet to alter residency treatment for veterans, significant disruption to the family unit can occur. A veteran would be forced to move to a state that offers in-state tuition in order to receive their benefits.

Passage of this measure would create a hodgepodge map of eligible or ineligible states.

It is also instructive for the Committee to understand the nature of in-state versus out-of-state rates. One way of looking at an established out-of-state rate is to consider it as the full cost or close to full cost to the institution of educating a student.

Since public institutions receive support from the state in order to provide its residents with an education, the in-state rate reflects the cost to the institution after factoring in the state subsidy. Thus, the in-state rate is supported by the state taxpayers.

Passage of this bill would shift paying for the promise established under the GI Bill of supporting the education of a veteran from the Federal Government to the state specifically and only for veterans attending public institutions.

In the written testimony, AASCU offered several suggestions for improving the bill.

In closing, AASCU institutions are serving our Nation's veterans well. Institution after institution has established programs to provide quality service to the Nation's military and veteran students.

Passage of this bill would limit the exposure of quality support programs and the ability to pursue an education in a desirable field from an otherwise affordable public institution of higher education.

Thank you very much, Mr. Chairman, for the opportunity to speak today.

[THE PREPARED STATEMENT OF SUSAN ALDRIDGE APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Dr. Aldridge.  
Colonel Denning.

#### STATEMENT OF G. MICHAEL DENNING

Colonel DENNING. Chairman Flores, Ranking Member Takano, and distinguished Members of the Subcommittee, thank you for holding this hearing and the opportunity to testify before you on H.R. 357, the GI Bill Tuition Fairness Act of 2013.

My name is Mike Denning and I have the privilege of representing the University of Kansas and also I serve as the director for Graduate Military Programs.

Prior to joining KU, I served 27 years in the marine corps and I retired as a colonel. I am here today representing both the University of Kansas and the Association of Public and Land Grant Universities, APLU.

KU and the public university community overall appreciate the spirit of 357, H.R. 357, and I certainly do as a veteran. This Nation's public universities like KU want to ensure that our Nation's veterans are treated fairly and with the respect that they deserve.

Public universities around the country are redoubling their efforts to address the needs of veterans and servicemembers to whom we all owe an enormous debt of gratitude.

I can also say that public universities were one of the most engaged groups with respect to successfully restoring the Tuition Assistance Program during the Senate floor debate on the fiscal year 2013 Omnibus Continuing Resolution.

While we are supportive of the overall intent and spirit of H.R. 357 to provide greater and more affordable access to higher education for veterans, we do have an array of concerns about the bill and believe that it may have unintended consequences of limiting or even denying veterans access to higher education institutions.

Specifically, the bill requires all public universities to offer an in-state tuition to all veterans regardless of where they live. We are troubled that this legislation imposes a new unfunded mandate that would force states and/or public institutions to find additional resources to fully support the educational experiences of non-state veterans.

States, not higher education institutions, set residency requirements. The state governments determine how best to use their state tax revenues. Since states are already facing budget crunches, many of them might simply be unable to afford to change their residency requirements to allow all veterans from across the country to receive in-state tuition.

As currently written, H.R. 357 imposes the penalty of cutting off GI benefits to those states that cannot comply with the in-state residency requirement. We are greatly concerned that many states would be unable to meet the unfunded in-state tuition mandate

which potentially would lose veterans from losing their benefit of the GI Bill.

For states that do adjust their residency requirements to provide lower in-state rates for all veterans, universities would be forced to make up the loss of out-of-state tuition which could have a real impact on all students on campuses and that they may be forced to cut services or programs to cover the lack of additional resources or even raise tuition rates across the board. This would impact all students including veterans on the campus.

Despite these aforementioned problems with the current form of the bill, we share your commitment to improving access for veterans to quality, affordable higher education. We hope to work with you to improve the effectiveness of the bill.

And particularly, we suggest that the state mandate and the penalty be removed and replaced with incentives and supplementary Federal funds for states and institutions that broaden the scope of their in-state tuition rates for veterans.

On behalf of the APLU and the University of Kansas and from a veteran standpoint, I thank you for the honor and privilege of testifying before you and for your leadership on these issues. I look forward to any of your questions.

[THE PREPARED STATEMENT OF G. MICHAEL DENNING APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Colonel Denning.  
General Weber, you are recognized for five minutes.

#### **STATEMENT OF JOSEPH F. WEBER**

General WEBER. Mr. Chairman, Ranking Member Takano, and distinguished Members of the Committee, my name is Joe Weber and I thank you for allowing me to be here today to address you.

I currently serve as the vice president for Student Affairs at Texas A&M University. Prior to that, I was privileged to serve our Nation 36 years as a United States Marine.

Before I get started, I just want to say this on the record. Our Congress and my Congress it seems like every day comes under a lot of criticism about what they do and what they do not do. And I just want to go on the record to say that with respect to our veterans and our military, there is no criticism other than constructive and positive on what you have done for our military and our veterans, particularly the last ten years.

The benefits you provided, the resources to the force, the family programs for our families, the long, drawn-out, draining war, all of that, and it is more unbelievable when you look back compared to how our veterans were treated after Vietnam. So I commend you for that and for that, we always hold you in high honor and accord.

Texas A&M University has a history and a tradition of support of the military and our veterans. It was started as a land grant university in 1965. It was an all military school, all male military school up until 1963. Today it is now a flagship, tier one research university, a member of the AAU with servicing over 600 veteran students.

Texas A&M University has not forgotten where it has come from. Our state code of education in Texas is replete with programs, policies, verbiage, great generosity in assisting our active duty mili-

tary, our veterans, and our veterans in their pursuit of their higher education.

We have a governor and a state legislature that it is very, very important to them that our two flagships and all our public universities take care of our veterans and, yes, we do have Members in this very distinguished body up here who keep a close eye on us as well down there as well as up here supporting our veterans. We are very appreciative for that.

But today, Texas A&M University has over 50,000 students and serving the 600 veterans, but also 1,400 students associated in drawing some type of veteran benefit be it state, institutional, or Federal.

The point I am making is this particular piece of legislation has to be viewed as all veterans' benefits, I think, as truly a Federal, state, and institutional effort. We are all in this together. It is collaborative.

Texas A&M University makes use of several programs of this collaborative effort in servicing our veterans. One is our Hazlewood Exemption Act which basically provides 150 hours of tuition exemption for Texas residents and it has since been extended to their spouses and children. It has been a very effective program.

In 2007, we were serving 148 students. As of a month ago, we are servicing almost 1,400 students. The cost of that 148 students was about \$680,000. We are now paying over \$10 million, the institution is, to support this effort for our veterans and their families.

We also have several students on the Yellow Ribbon Program which, as you know, is the co-share cost with the VA and the university in assisting those students and paying for that tuition above and beyond the in-state.

We also have a Military Waiver Program at Texas A&M. Basically, any veteran that comes to school at Texas A&M University and fills out this Military Waiver form with the intent of becoming a state resident or staying in that state after graduation or getting a degree from A&M, we provide them in-state tuition.

Why do we do that? Well, I think the main reason we do that is we are trying to look out into the future. This is about recruiting. We want veterans. And if we can get veterans to come to Texas A&M University, get a degree, stay in our state, become successful leaders in their communities, successful businessmen, they will not only give back to our state financially and we will make up that difference, but they will also be great donors to our university.

We have what is called a Competitive Scholarship Program. Anyone that comes there gets a \$1,000 scholarship, competitively qualifies for in-state tuition.

Within our Texas code is a combat exemption. If you are a non-resident at Texas and your father or mother is deployed in a combat zone, during the time of deployment in that combat zone, you do not pay tuition. You are tuition exempt.

So those various programs, and the bottom line, and I know I am over time here, is we believe this is a good bill. It is a Federal fairness issue, not just a state fairness issue.

When these young men and women raise their hand to support and defend the Constitution of the United States, it is not the Constitution of the State of Texas. They are subject to be deployed to

any state in the country, any place in the world and in harm's way, so we need to look at that.

So we would ask you one thing. Just look at the timing of the bill. State legislatures like Texas meet every two years. So however we have to work this, they need to have some time to sort it out.

I know, Mr. Chairman, it is not a state residency matter, but some states, I think, view that and we need to make sure it is clear of that too.

But I appreciate the time with you and thank you for all you have done for our veterans and I am here to address you.

[THE PREPARED STATEMENT OF JOSEPH F. WEBER APPEARS IN THE APPENDIX]

Mr. FLORES. General Weber, thank you for your testimony. Thank all of you for your testimony, and I will start with the questions. I'll recognize myself for five minutes.

Mr. Huebner, let's knock out a couple of what I think are easy ones first, so let's start with you. What affect has the new grant program had on your ability to raise funds from private sources?

Mr. HUEBNER. The grant program has—

Mr. FLORES. Keep your voice up.

Mr. HUEBNER. —been significant in one, getting more veterans involved, creating more awareness, which by extending programming, creating more awareness, it's also helped us with generating new private resources.

An example, a month from now, we will be hosting an event in collaboration, and I talked about that in my testimony and cost-effectiveness, an event with the Department of Defense, Department of Veteran Affairs that was created by the U.S. Olympic Committee. That event is two-thirds to 70 percent privately funded. So I think it's an incredible example of, by expanding programming and properties, we're engaging not only we, the USOC but our partners at the local level are engaging new private resources. And in my testimony, in my written testimony, there was a second example of a partnership where our partner at the local level is engaging new private resources, that's primarily funding programming, and making it sustainable. So it's not just new funding to the U.S. Olympic Committee, it's also the funding to all those different programs that we're working with at the local level, that are garnering new private investment to make this program incredibly cost-effective, but more importantly, more impactful.

Mr. FLORES. Thank you, Mr. Huebner. General Weber, thank you for your testimony today, and I want to compliment you on the work that Texas A&M is doing on behalf of our veterans, and I think it reflects what you and I both believe. And that is that our governor and the leadership and our state legislature in Texas get it right, when it comes to recognizing the value of the service of our veterans to our country.

And thank you for your recommendations on H.R. 357. I think those were particularly beneficial for the Committee. I don't have a question for you. Unfortunately, I—just more of a compliment.

This is for Dr. Aldridge and Colonel Denning. Let me talk—when you look at the Morrell Act, and talk about land grant universities, the whole purpose of the land grant universities is to provide, and this is more for Colonel Denning I guess, is to provide access.

So doesn't H.R. 357 really promote the same thing? Isn't it sort of a great add-on to the Morrell Act to access to education, public universities, particularly land grants?

Mr. DENNING. Yes, thank you, Chairman. Sir, the—again the University of Kansas, APLU absolutely appreciates the spirit and intent of H.R. 357. And in this case, it's not—we didn't see it primarily as access, we saw it as affordability, how are we going to pay for this. And for those states that decide not to go along with the bill, it actually does, in our opinion, limit access because a state would opt out for it, and that would leave a veteran from making a decision of paying for it out of his own pockets, or being unable to—or not being able to use GI benefits.

Mr. FLORES. Let me—and I'm going to expand this to Dr. Aldridge as well, as well as you, Colonel Denning. I mean, y'all have made it clear of your opposition to H.R. 357, but I mean, how do you explain your opposition to the students or prospective students, that as General Weber said, held up their hand and swore an oath to our Nation's Constitution, which covers all 50 states, and not just to a particular state. How do you defend your position when these young men and women have agreed to defend all 50 states, and not just a particular state?

Mr. DENNING. Sir, from my standpoint and the University of Kansas is, we actually do back everything you said by participating in the Yellow Ribbon program, which has the exact same benefit, or the intent and results of what H.R. 357 is, and that is to providing veterans access to the university at in-state rates. So basically they can come to KU or any in-state—or any university in the State of Kansas for no cost to them.

One of our requirements—I'm sorry, one of our recommendations to expand the Yellow Ribbon program, which again, would have the exact same affect of H.R. 357. The only difference would be by cost sharing with VA.

Mr. FLORES. Okay. Dr. Aldridge, any comments?

Ms. ALDRIDGE. With my colleague, there are 109 AASCU institutions that participate in the Yellow Ribbon program, are very pleased to participate in that program and serve these students.

The AASCU institutions are good value for money, in terms of their tuition rates and providing access to first generation students, minority students and veterans as well. The difficulty with the bill is that the public institutions are carved out, and the students, if they're not able to go to a public institution because of state legislation that dictates whether or not the tuition is allowed for out of state residents who are veterans, then the students are going to end up going to more expensive private for-profit institutions, or more expensive private not-for-profit institutions.

So I think the issue for us is that we'd like to level the playing field, and simultaneously at least have the opportunity to work with state legislatures in a reasonable timeframe. We're absolutely committed to serving these students, and want to continue to do so.

Mr. FLORES. Thank you, Dr. Aldridge. I now recognize Ranking Member Takano for five minutes.

Mr. TAKANO. Dr. Aldridge, do you know if H.R. 357 covers community colleges as well, or is it only state colleges?

Ms. ALDRIDGE. I don't believe it does.

Mr. TAKANO. So it does not?

Ms. ALDRIDGE. That's my understanding.

Mr. TAKANO. Because in California, I was a former community college trustee, and do have in-state and out-of-state tuition with community colleges as well. But this bill does not cover community colleges that you know of?

Ms. ALDRIDGE. That's my understanding, but I would defer to the staff.

Mr. TAKANO. Okay, thank you. Colonel, I've had the pleasure of actually being at your university for a summer with the NEH, the National Endowment for Humanities. Is there a disparity among the different states as far as in-state tuition goes, and how much of a disparity might there be?

Mr. DENNING. Sir, it's my—representative, it's my understanding that there are—that different states do make different decisions. Some of the states that those decisions on residency are made at the state level, either by the legislation or by a board like the University—like Kansas with the Board of Regents.

There are, as I understood from the testimony, there are ten states that do set their own residency requirements at the university level.

Mr. TAKANO. I know in California we subsidize community colleges to a great extent. And so what a student will pay there is significantly less than what a student will pay in New York. So New York as well as those states that charge a lot more for community colleges will capture more Federal aide for those students who qualify for it.

And so I'm trying to understand what the disparity is among state colleges, between the ones that are heavily subsidized and those who are not.

Ms. ALDRIDGE. The—thank you, sir, for the question. There's tremendous disparity across all the different states and the territories, in terms of tuition rates and in terms of the amount of funding that the state legislatures provide to the institutions. And it's been changing every year, particularly in the last couple of years, which is why we have seen tuition increases, there's a direct correlation between the increase in tuitions, and the decrease in legislative funding for state institutions.

In some of our states, they have lost 50 percent or more of their state funding from the legislature over a period of two to three years. So the issue about tuition is one that we all must struggle with and work hard to try to contain for our students, but as the state budgets have had a difficult time, they have decreased the amount of funding for the—

Mr. TAKANO. But for a state that has a low in-state tuition, because they subsidize it to a greater degree—

Ms. ALDRIDGE. Right.

Mr. TAKANO. —would they not suffer some sort of inequity here, because it stands to reason if, you know, we're funding that student to go to school—

Ms. ALDRIDGE. Yes.

Mr. TAKANO. —or the veteran in this case, that state acts—really subsidizes their education, their college education to a great degree, that state is actually kind of being shorted, if you kind of

compare it to a state that subsidizes it less. So I'm just trying to get a sense of what the disparity is between the states that subsidize a lot, and the states that don't subsidize as much. Is there a number you have on the top of your head?

Ms. ALDRIDGE. No, I don't have a specific number for that.

Mr. TAKANO. Okay.

Ms. ALDRIDGE. But we certainly can do some research on that and get back with your staff.

Mr. TAKANO. Okay. Great. That's it, Mr. Chairman, I have no more.

Mr. FLORES. Thank you, Mr. Takano. Mr. Coffman, you're recognized for five minutes.

Mr. COFFMAN. Thank you, Mr. Chairman. Mr. Huebner, first of all, I think, could you restate—I think a lot of folks think that this reauthorization for the Paralympics for veteran participation in the Paralympics is managed by your organization is just for the elite competitors. But I wondered if you could give us some examples about how you are able to take, you know, the average veteran that's been disabled, and to be able to integrate them into some athletic events.

Mr. HUEBNER. Yes, thank you, sir. Thanks for your service, too. You know, our focus, as I mentioned, we have two objectives, one is the elite level, and one of the benefits of having veterans participate at the elite level, in 2012, and it goes back to a little bit of your question about investment. Five of our partner organizations ran national television ad campaigns, more than \$40 million in value focused on veterans, and focused on successful veterans that are contributing back to their country.

So that is an important part, because having veterans as incredible ambassadors that are at the elite level, allow us to create education, awareness, and excitement at the grassroots level for those families, and we live this every day. Those families, and Brad talked about this last week, he came home to his family, and he was totally blind, and it was swimming that gave him confidence, but more importantly he said, it was swimming that gave his mother confidence that he could jump back in at life.

And we use the elite platform to grow the grassroots platform, and our role specifically in this, the USOC was asked by you, and by veteran and military organizations to lead this, because we have humbly, most arguably, the most inspiring brand in the United States, but we have expertise in sport, more than 50 different sports, as well as expertise in physical disability. So we're utilizing in this collaboration in this partnership, our technical assistance, our support and our member organizations to train local organizations, whether it's a parks and rec agency, 14 of them in Colorado in your state, have been trained by us on how to implement a program for a person with a physical disability.

Instead of going and developing a brand new program that would be incredibly costly, we're taking existing programs, parks and recs, USA Hockey, other entities and teaching them how to implement or integrate a veteran with a physical disability into their program, so they can participate in physical activity with their family and friends.



Mr. COFFMAN. Okay. Can you also speak to the GAO's recommendations on the Paralympic program, as it applies to USOC?

Mr. HUEBNER. Yes. Actually in coming out with this program, we emphasized to this Committee, we emphasized to the VA, and we emphasized to the programs, our highest priority in 2010 was meeting the need of programs. There were thousands of veterans returning home that needed physical activity.

The GAO report focused on more oversight, and we were working on doing that at the time, and we've implemented all the recommendations from the GAO report. We have a couple of examples of that, is we are doing, the USOC is doing independent audits of all of our grantees. We have a monitoring plan in place with the VA, we have weekly grant monitoring calls, so we've aggressively implemented all the recommendations, but it—as we stated to them, and to you, in 2010 and '11, our primary emphasis was programming. There was a great need for thousands of veterans who returned home, and rolling this program out, that's where we really emphasized our focus.

Mr. COFFMAN. Well, thank you so much, Mr. Huebner, thank you so much for all you do with the USOC and for veterans in the paralympic program. And I'm certain excited about pushing this legislation forward for the reauthorization of the program, H.R. 1402. And with that, Mr. Chairman, I yield back.

Mr. FLORES. Thank you, Mr. Coffman. Ms. Brownley.

Ms. BROWNLEY. Thank you, Mr. Chair. I too had a question for Mr. Huebner, and maybe you can't answer the question, I don't know. But I was just wondering if there has been any study at all to sort of look at the cost benefit ratios with—in terms of a disabled vet participating in this program. You mentioned all of the benefits one receives, including their own personal health. And just wondering if there's been any study vis-a-vis the cost savings, you know, into the future for participating in the program today, and the cost benefit for the future.

Mr. HUEBNER. That's an incredible question, and we are—I'll be honest, we are having discussions at the VA about that as we speak. Because in our initial grant, we had some research components and impact components and evaluation components in the grant. There were so many studies that are out there by many government organizations, some of which talked today, Labor, VA, DoD, independent organizations so that the conversation we're having right now, is do we need to use resources in this grant to go do another study, because there are numerous studies out there. And after this session, I can provide you a study that we were involved in that talks about the impact and primarily the most significant impact is lower secondary medical conditions.

In terms of having the physically active involved disabled veterans in their communities, that's probably the most significant cost impact. No doubt there's numerous other things when you add higher self-esteem and lower stress levels in terms of what we're dealing with today. Those are positive outcomes.

Higher education, higher employment achievement levels, no doubt cost outcomes, but we are looking at that right now, but in reviewing this, and reviewing with the director who's a veteran, and a disabled veteran of the VA program, we're determining, we

need to spend more money on more research being that there's—Google it today, and there's multiple factors of research going on in this space.

Our position tentatively is we think we can develop more programming to impact the research that's being done by so many other entities. But we do have some initial components and research that we can provide for you after this hearing.

Ms. BROWNLEY. Thank you. And just in terms of developing, I think what you called the grassroots platform, can you give me some idea of, you know, the larger population of disabled vets and how many actually participate?

Mr. HUEBNER. Yeah, the majority, and I was going to add to your first question with a specific example. The majority of the disabled veterans, the more than 16,000 that we've touched just in the program, and when I say we, I want to emphasize, this isn't just the U.S. Olympic Committee, it's the USOC, the VA, the DoD, but more importantly, it's those 50 member organizations like Parks and Recreation, and USA Hockey, that have—that touch every community. We're doing this in collaboration with them, and they are bringing their own staff, their own resources to the table.

So one specific example of a program that not only implements cost, but also touches the number of veterans participating, we were fortunate to have a disabled veteran attend our national leadership training, where we teach people how to do it.

He also attended a regional training, where he learned how to implement a paralympic sport program. He implemented in Harker Heights, Texas, right outside one of the largest military installations in the country, with a huge veteran population a physical activity program that's not sustainable. We provided a \$23,000 grant in this partnership. Twenty three thousand doesn't create a program. Harker Heights, Texas Parks and Rec raised the additional money, used some of their own budget, and hired a veteran to run the program. They now have a sustainable program, which 95 percent of the budget is being funded by the local community.

But the majority of the people, I think the last number was more than 800 veterans participating in that program, there's not one person in that program that's on our paralympic team or going to the paralympic games. That's just one specific example in one community. That's happening all over the United States where the majority of people participating, our primary focus gets back to that Army Ranger. I want to be able to run with my son.

Ms. BROWNLEY. Thank you. And one last question, I don't have much time left, but I wanted to also compliment General Weber also for what Texas A&M is doing for your veterans in Texas. The Chair is an alumni, so you know, he's going to compliment you, but I'm not, and I want to compliment you on what you're doing. It's very, very impressive, and I think you serve as a model for many other public universities across the country.

You said that you're currently serving 600 I think veteran students and 1,400 students who are getting some kind of veteran benefits, in a student population of 50,000. So I'm just wondering if you roughly have, you know, there's been testimony about, you know, the unfunded mandate, the transfer burdens to the states,

in terms of costs, if you had any estimations of what that looks like for your university.

Mr. WEBER. Well, first let me begin by saying, A&M is extremely blessed. We're in a state that the economic conditions are much better than others. We have a large population of students, and we probably can bear unfunded mandates much better than some of our perhaps smaller public universities, who may have proportionately more veterans than we have. So I think that would be another comment when you write the bill, if any wording you can, to provide incentives or flexibility to all public institutions to handle that.

So I first must say up front that we can—probably positioned to handle it better. Now presidents of universities are pressured from the state legislatures, the Board of Regents, their budgets are being cut, ours was cut \$36 million over the last appropriation, a lot of pressure on them to reduce costs, parents reduce costs of college.

So in order to do that—without—you know, they're thinking, how do I generate revenue, not what programs do I have to give up revenue, and so I just think that's one of the issues right there that they're having to deal with.

But, you know, Texas A&M University has a \$1.3 billion budget, cannot we find \$10 million to allocate to our veterans, and when the economy is tough, and everybody has to tighten their belts, it's good in a sense that it forces us to prioritize and reallocate. And so that's how we're handling a lot of ours right now, but we're very conscientiousness. We don't want to take another \$36 million cut, because that could really put the pressure on the reallocation and the prioritization.

Ms. BROWNLEY. Thank you, Mr. Chair, for the additional time, I appreciate it.

Mr. FLORES. Thank you. It depends on the institution, sometimes I can be gracious.

In any event, with—the Ranking Member and I have discussed, we're going to have a second round of questions, and with unanimous consent, we're going to limit the questions and answers to two and a half minutes for each of these, and I will begin the second round.

Dr. Aldridge and Colonel Denning, again thank you for being here, and thank you for your testimony, but let's talk some real numbers. The VA has estimated that only 15 percent of the students that attend—that 15 percent of the veterans that are attending universities, or excuse me, 15 percent of the universities have over a hundred veterans.

So what sort of financial impact are we talking about for that 15 percent? It seems like 85 percent just have a small handful of veterans of a hundred or less, so what's the impact on that 15 percent that has more than a hundred?

Ms. ALDRIDGE. I can give you an exact number for institution by institution, but the difficulty with the policy is that it would disallow students from participating in the programs whether they're in-state or out-of-state at a certain point in time, and we wouldn't want to see that happen.

The issue in terms of the financial impact will be institution by institution. I think the broader issue is the timeline for the implementation, and the need for state legislation or state boards of regents to make decisions in order to consider this.

The other issue is that the language penalizes state institutions, but at the same time, doesn't address the fact the private, non-profit universities and private for-profit universities that usually charge significantly more than the state institutions are not even addressed in this bill.

Mr. FLORES. Okay. Thank you. I'm going to—Colonel Denning.

Mr. DENNING. Representative Flores, thank you, sir, I really don't have anything to add to that.

Mr. FLORES. Okay. Thank you. Ranking Member Takano, you're recognized for two and a half minutes.

Mr. TAKANO. Mr. Chairman, I don't have any further questions. I yield back my time.

Mr. FLORES. Okay. I want to thank the panel for your testimony today. It has been very helpful as we consider these important pieces of legislation, and it's hard to imagine Mr. Huebner getting anymore excited about a program. With that, this panel is excused, and while we're changing panels, we're going to take a short biological recess, as the next panel is being seated.

(Recess)

Mr. FLORES. The hearing will come back to order. I want to thank the Members for the last round of questions, and I would like now to introduce our final panel.

First we have Mr. Alexander Nicholson, from the Iraq and Afghanistan Veterans of America. Today is Mr. Nicholson's first time testifying before the Committee, so congratulations and welcome.

Next, we have Mr. Ryan Gallucci from the Veterans of Foreign Wars, followed by Mr. Steve Gonzalez with the American Legion. Finally, we have Mr. Michael Dakduk from the Student Veterans of America.

Mr. Nicholson, let's start with you, and you are now recognized for five minutes.

**STATEMENTS OF ALEXANDER NICHOLSON, CHIEF POLICY OFFICER, IRAQ AND AFGHANISTAN VETERANS OF AMERICA; MR. RYAN M. GALLUCCI, DEPUTY DIRECTOR, NATIONAL LEGISLATIVE SERVICE, VETERANS OF FOREIGN WARS OF THE UNITED STATES; MR. STEVE L. GONZALEZ, ASSISTANT DIRECTOR, NATIONAL ECONOMIC COMMISSION, THE AMERICAN LEGION; AND MR. MICHAEL DAKDUK, EXECUTIVE DIRECTOR STUDENT VETERANS AMERICA (SVA)**

#### **STATEMENT OF ALEXANDER NICHOLSON**

Mr. NICHOLSON. Thank you, Chairman Flores, Ranking Member Takano, distinguished Members of the Subcommittee.

On behalf of Iraq and Afghanistan Veterans of America, IAVA. I'd like to thank you for this invitation to share our organization's views on these bills, and for your continued dedication to improving the lives of all of America's veterans.

IAVA is the Nation's first and largest non-profit, non-partisan organization for the veterans of the wars in Iraq and Afghanistan.

Founded in 2004, our mission is simple, to improve the lives of Iraq and Afghanistan veterans and their families.

With a growing base of over 200,000 members and supporters, we strive to create a society that honors and supports veterans of all generations. While our country's economic position and the employment status of all Americans remains a grave concern for everyone, it should distress each and every one of us that America's newest veterans, those who have shouldered the burden of fighting our recent wars are being hit the hardest.

In its most release on the employment status of veterans, the Bureau of Labor Statistics revealed that nearly one out of every ten post-9/11 veterans is unemployed. And although we are focused here today on legislation to enhance opportunities for veterans who are able to work, I would be remiss if I did not remind the Committee Members that those who cannot seek work, because of a service-connected disability continue to face an unacceptably backlogged VA claims pipeline, which denies veterans who cannot work with compensation they deserve to make up for their loss of earnings.

But for those veterans who are able to work, and who want nothing more to be able to transition back into civilian life, get an education, find gainful employment, and build a better life for themselves and their families, we owe it to them to ensure that they have the tools, resources, and knowledge to successfully take those next steps.

As a result, IAVA is supportive of all the legislation that is the subject of this hearing today. For three of these bills in particular, I would like to elaborate on why we believe they are important.

First, H.R. 631, which would enhance, expand, and standardize the content of the transition assistance program constitutes a positive step in the right direction toward equipping troops with the knowledge and skills they need to be successful as new veterans.

A comprehensive substantive and consistent transition assistance program is vital to ensuring servicemembers smooth transition back into civilian life, and to ensuring the stability and security of their families.

Second, the draft bill that would increase the availability of on-the-job training and its apprenticeship programs for veterans represents an important step—excuse me, represents an important acknowledgment of the enormous benefit that can come from practical learning and training experiences.

Sometimes and in some fields, there is simply no better way to learn a job or trade, than to actually dive in and get hands-on experience in that field. And finally, for those who elect to return to school after completing their military service obligations, it is obvious that the post 9/11 GI Bill has been a tremendous boom for veterans of the wars in Iraq and Afghanistan. But the need for various adjustments and fixes to the program has also become obvious.

H.R. 357 would fix another benefit utilization issue by allowing veterans to attend public universities at their respective in-state rates and actually be able to afford to go to school and live comfortably using their post 9/11 GI Bill benefits.

Because of the nature of military service, servicemembers are required to move around, according to the needs of the force.

Servicemembers who are stationed at a particular post or base may live in that state for years, may buy a home in that state, shop and pay local taxes in that state, raise a family in that state, and generally become part of the community in that locale. However, that servicemember may still not always technically be considered a resident of that state for tuition purposes.

The situation is not just hypothetical for IAVA members, but rather reflects a real situation that many veterans of Iraq and Afghanistan have found themselves in after leaving military service. Veterans who wind up living in an area outside of their home states through no fault of their own, should be denied the opportunity to use their earned education benefits to cover the full cost of education in an area where they are already functional if not technical residents simply because of their military service.

This bill would remedy that gap in tuition and residency fairness, and ensure that all veterans could take advantage of the promise of the new GI bill without undue hardship. We again appreciate the opportunity to offer our views on these bills, and we look forward to continuing to work with you, with your staff, and with the Committee to improve the lives of veterans and their families. Thank you for your time and attention.

[THE PREPARED STATEMENT OF ALEXANDER NICHOLSON APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Nicholson. Mr. Gallucci, you're recognized for five minutes.

#### STATEMENT OF RYAN M. GALLUCCI

Mr. GALLUCCI. Thank you, Chairman Flores. On behalf of nearly 2 million members of the VFW and our auxiliaries, I want to thank you for the opportunity to present VFW's stance on today's pending legislation.

Unemployment among young veterans who served after 9/11 continues to out pace unemployment among civilians, which is why the VFW, the Nation's largest organization of combat veterans continues to champion veterans' hiring and legislative initiatives.

I want to thank this Subcommittee for its hard work in the last Congress passing laws like the Vow to Hire Heroes Act, and improving transparency and education for Veterans Act, and other initiatives that have helped today's—make today's veterans more competitive in tough economic times. However, with the wars drawing down, proposed reductions in the active duty force, and plans to lean on the Guard and Reserve for future missions, we must do more.

The VFW proudly supports each bill up for discussion today, and I refer the Subcommittee to my prepared statement for VFW's full analysis. For the balance of my remarks, I want to offer our thoughts on three critical bills, H.R. 357, H.R. 562, and H.R. 631.

As of 2011, Student Veterans of America reports that only one out of every five veterans attending a public school is eligible to attend at the in-state rate. Why? Because military service precludes many veterans from satisfying residency requirements for tuition purposes. The VFW regularly hears from student veterans who say that financial uncertainty is the most significant roadblock to finishing school.

To combat this, it only makes sense to allow our student veterans to attend college at a reasonable rate when seeking to use their earned post 9/11 GI Bill benefits, and we hope the Committee moves quickly to pass the GI Bill Tuition Fairness Act of 2013.

The post 9/11 GI Bill was intended to offer veterans a free public education, and a modest living stipend, allowing veterans to treat college as a full-time job without worrying about financial stability. However, current law only allows VA to reimburse veterans attending public schools for the cost of an in-state education, meaning veterans who cannot qualify for in-state tuition will only receive meager reimbursement for college.

This oversight forces veterans to find other ways to pay for college by tapping into other Federal aid programs, finding full-time employment, or amassing student loans that even when they make a good faith effort to legally reside in a state and attend a public school.

An easy solution to this issue is for public colleges and universities to allow post 9/11 GI Bill veterans to attend at the in-state rate. Servicemembers already have similar protections when using military tuition assistance at public schools, with minimal impact on the ability of state colleges to deliver a quality reasonable price to education. Unfortunately, once the uniform comes off, veterans suddenly become state-less for tuition purposes.

The post 9/11 GI Bill is a Federal program designed to help our heroes acquire the skills necessary to build a successful career after service. Our veterans serve the Nation, not a particular state. They should not be penalized for that service when they cannot satisfy strict residency requirements for tuition purposes. The states know they can deliver a quality education at the in-state rate, particularly for such a small percentage of the student body. This is why ten states already offer in-state tuition for veterans, eight offer conditional waivers, and 16 others are considering legislation.

In states that offer in-state tuition, both Republican and Democrat state leaders all agree that the financial benefits for the state far outweigh the illusory financial burdens that some in higher education believe would be detrimental to institutional budgets. Simply put, graduates of public colleges and universities traditionally pursue careers close to their alma mater, and I'll refer you to my prepared statement for quotes from some of the state leaders who support these.

Next on the VRAP Extension Act, the VRAP was proud to support the establishment of VRAP as part of the Vow to Hire Heroes Act. Unfortunately, enrollment is down, and the program is set to expire before many veterans can fully use it. VFW fully supports extending VRAP and reporting outcomes, but we also ask the Committee to consider two improvements to the program.

First, Congress should ease the restriction on institution eligibility. The VFW understands why VRAP only pays for programs no longer than two years in duration, but as a result, four-years schools cannot participate. Unfortunately some communities only offer four year schools.

An example, in Erie, Pennsylvania, veterans will not find an eligible community college nearby because the Penn State Erie cam-

pus serves as a de facto community college. Second, Congress must make it easier for VRAP to cover remediation.

Recently the VFW heard from the student veterans organization at Community College of Rhode Island, who report that basic remedial skills, like math, composition, or computer literacy cannot be covered through VRAP since they do not correlate to an approved program. The VFW believes that veterans must be able to easily use VRAP for remediation, otherwise veterans will not be able to complete their programs.

And finally, on the Service Members Choice of Transition Act, the VFW fully supports TAP redesign, and we thank the VA Labor, SBA, and DoD for allowing us to evaluate their pilots. That being said, the VFW believes that TAP is significantly improved, but we have lingering concerns.

The VFW supports DoD's efforts to build the military life cycle for professional development, but we prefer the transition models in H.R. 631 which compresses TAP and allows servicemembers to actively choose their unique transition plan. This model acknowledges the finite timeframe services can dedicate to delivering TAP.

Chairman Flores, this concludes my statement, and I'd be happy to answer any questions you may have.

[THE PREPARED STATEMENT OF RYAN M. GALLUCCI APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Galucci. Mr. Gonzalez?

#### **STATEMENT OF STEVE L. GONZALEZ**

Mr. GONZALEZ. All servicemembers and women returning from Iraq and Afghanistan, as well as those from previous eras are met with daunting challenges at home. Chairman Flores, Ranking Member Takano, and distinguished Members of the Subcommittee, on behalf of Commanda College and the 2.4 million members of the American Legion, I thank you and your colleagues for the work you do in support of our servicemembers and veterans, as well as their families.

We are pleased to see that the pending legislation before us today addresses these challenges in productive ways. As the largest organization of wartime veterans, the legion works tirelessly to make a positive difference in the lives of our Nation's active duty troops, Reserve, and Guard forces, and 22 million veterans and their families. We are looking forward to working with you to ensure that the best benefits and services are made available to them.

We have addressed each of the pending bills in our written statement, but because of its importance, I would like to take this opportunity to highlight just one of them now, specifically H.R. 357, GI Bill Tuition Fairness Act.

The American Legion is synonymous with veterans' education, being instrumental in the passage of both the original GI Bill of Rights of 1944, and the most recent post 9/11 GI Bill, along with helping the modern day veteran navigate the confusing world of education benefits. The main reason for the post 9/11 GI Bill was that VA education benefits were no longer covering fast rising tuition costs.



Working with Congress, we stress the need for a 21st Century GI Bill that would provide benefits worthy of our veterans and offer the same opportunities afforded to those who fought in World War II. However, over the last couple of years, we have heard from countless veterans, who because of the nature of military service, often have a difficult time establishing residency for the purpose of obtaining in-state tuition rates.

Under current rules, 40,000 student veterans have to pay the difference between in-state tuition, which is covered by the post 9/11 GI Bill and out-of-state tuition if they're attending school as a non-resident. Because of this, many of our student veterans are unable to use their GI bill benefits at a school of their choice, or are required to pay thousands of dollars in out of pocket expenses at non-residential tuition rates.

Furthermore, public schools—public colleges and universities have significantly raised the cost of out of state tuition to offset decreasing revenues due to state budget cuts. Circumstances such as this pose significant challenges to using this important benefit.

To address this, the American Legion has led a state-by-state initiative to introduce, advocate for, and support state legislation that would fix this problem and we have seen recent victories in Indiana, Maryland, Missouri, and North Dakota. As a result, ten states have passed laws to waive the residency requirement, another nine states have waived these for some veterans and military family members through university specific policy changes. However, this leaves too many veterans in states which have not done so.

Unfortunately, though, not all states and schools seem to recognize by their actions the necessity of fixing this problem. We were therefore pleased to see Chairman Miller and Ranking Member Michaud jointly introduce H.R. 357 bipartisan legislation which would solve this problem by requiring public colleges and universities as a condition for receiving GI Bill funding, to give veterans in-state tuition rates.

Chairman Miller was absolutely right when he said in his statement upon the bill's introduction, and I quote, "The men and women who served this Nation did not just defend the citizens of their home states, but the citizens of all 50 states. As such, the educational benefits they receive from the taxpayers should reflect that."

Veterans shouldn't have to assume tremendous financial burdens or go into deep debt for their education just because the military has taken them away from their home state. Again, the whole point of the post 9/11 GI Bill was to ensure student veterans attending public schools, receive a reasonably priced education at the public school of their choice.

Therefore, this legislation is absolutely essential to the thousands of veterans who were promised this funding for their college education when the post 9/11 GI Bill was originally passed, and is vital to giving veterans an equal opportunity to afford the school of their choice.

The American Legion pledges to put our full weight behind this important legislation, and encourages this Committee to aggressively pursue timely enactment.

In conclusion, I appreciate the opportunity to present the American Legion's views, regarding this legislation and believe we are uniquely qualified to participate in this discussion. I am looking forward to your questions, and thank you, Chairman.

[THE PREPARED STATEMENT OF STEVE L. GONZALEZ APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Gonzales. Mr. Dakduk, you're recognized for five minutes.

#### STATEMENT OF MICHAEL DAKDUK

Mr. DAKDUK. Thank you, Chairman Flores, and Ranking Member Takano, who's not here, and the other Members of the Subcommittee, thanking for inviting Student Veterans of America to testify on important legislation impacting current student veterans and future student veterans that will undoubtedly take advantage of generous VA education benefits, like the post 9/11 GI Bill.

The Student Veterans of America or SVA is the largest and only national association of military veterans in higher education. Our mission is to provide military veterans with the resources, support, and advocacy needed to succeed in higher education and after graduation.

We currently have over 800 chapters or student veteran organizations at colleges and universities in all 50 states, including a dozen or more in your home state of Texas, that assists veterans in their transition onto the college campus, and ultimately into meaningful employment.

Our network all across this country of veterans and military family members organized at community colleges, four-year institutions, public, private, non-profit and for-profit schools, provide Student Veterans of America with the special appreciation for the issues affecting military veterans in higher education.

Regarding the pending legislation being heard today, I'd planned on briefly covering two bills, and use the remaining time to focus on H.R. 357, the GI Bill Tuition Fairness Act, but given other testimony you've heard today, I'm going to focus my remaining time on H.R. 357 exclusively.

The post 9/11 GI Bill pays the highest in-state tuition and fees rate. Due to military obligations, many veterans are unable to establish in-state residency for the purposes of enrolling at a public university of college. Ultimately, this becomes a financial burden that leaves veterans vying for additional financial aide, due to out-of-state residency status.

After conducting a state-by-state landscape analysis, using all 50 state legislator's bill search engine, and the National Conference of State Legislative databases, we have discovered the following regarding in-state tuition residency waivers for student veterans.

Twelve states passed legislation that waived the in-state tuition residence requirements for all veterans. Three states waived the in-state tuition residency requirement for some veterans, including your home state of Texas, which was referenced to Hazelwood Act in previous testimony. But it's important to understand that the Hazelwood Act is unique, that you have to have already been a resident of Texas, graduated from a Texas high school. Now, there are other special provisions in there.

Five state school systems passed policy that waives the in-state tuition residency requirement for veterans. For example, the State of Alaska, while the state legislature has not done anything in the State of Alaska, the public university system of Alaska has granted in-state tuition for all veterans.

Sixteen state legislatures are currently considering laws that would waive the residency requirements for veterans to receive in-state tuition. But it's important to note that the climb into double digits of state legislatures looking at in-state tuition for veterans has much to do with the American Legion's led state-by-state grassroots effort, and our work, Student Veterans of America, American Legion, and the Veterans of Foreign Wars on raising the profile on this issue.

Prior to coming here, and before the start of the 113th Congress, there was only roughly six states considering in-state tuition for veterans. So I think it's incredibly important to acknowledge my colleagues at the American Legion and the VFW.

Sadly, now 14 states have not even broached the topic of providing in-state tuition for veterans, including my home state of Nevada, that's why I appreciate that Congressman Titus has offered her name as a co-sponsor for H.R. 357.

Another interesting thing, it's troubling that we, as a country, find no cost too great to send America's sons and daughters off to war. Yet, when they return home, and remove the uniform, some entities and national associations and institutions search for reasons not to give them the full support that they have earned.

Another interesting thing is that in the Higher Education Act, there is a clause that provides in-state tuition for all active duty servicemembers and spouses. Once again, when we remove our uniform, we begin to raise issues on why we cannot support military veterans that are student veterans currently using GI Bill or other VA educational benefits.

In closing, I appreciate the opportunity to provide the Subcommittee with SVA's views, and we look forward to answering your questions. Thank you, Mr. Chairman.

[THE PREPARED STATEMENT OF MICHAEL DAKDUK APPEARS IN THE APPENDIX]

Mr. FLORES. Thank you, Mr. Dakduk, and I appreciate the testimony of all of you. I appreciate each of your respective service for our country, and I appreciate the support of our veterans, that each of your organizations provide.

I will begin the questioning, and I'll recognize myself for as much time as I may need.

First, this question would go to all of you, and I would ask you to keep your individual answers as short as you can. This has to do with H.R. 357. You heard some testimony by the last panel, particularly by Dr. Aldridge and by Colonel Denning in opposition to H.R. 357. What's your reaction to that, we'll start with Mr. Nicholson and go to your left.

Mr. NICHOLSON. Sure, just to keep it brief, Mr. Chairman, I would just reiterate the remarks actually of Chairman Miller at the beginning of this hearing, that you know, number one, they keep saying that it's an unfunded mandate, when it is not. I would just

basically offer up a reiteration of what Chairman Miller offered in response to their opposition in the beginning.

Mr. FLORES. Okay. Mr. Gallucci?

Mr. GALLUCCI. Thank you, Chairman Flores. I think there's something interesting at play here, when we hear some of the comments that we heard from the previous panel. Now, in the last Congress, it took a very concerted effort by the Veterans of Foreign Wars, the American Legion, and Student Veterans of America to pass responsible consumer education reforms for our veterans. It was the right thing to do, and we were willing to speak to any stakeholder in higher education to make sure that we got that done.

We echo that sentiment in this Congress, and we're willing to come to the table to discuss issues like in-state tuition with various stakeholders. But it's disconcerting to see that these stakeholders come to the table believing that first, this is an unfunded mandate, and that this is a burden on taxpayers.

We've seen in a number of budget battles that this Congress is going through that our taxpayers believe in supporting our veterans, that it's the right thing to do, that we have an ethical obligation to support them.

We represent taxpayers, our constituents are all across the country in all 50 states, the VFW, American Legion, and Student Veterans of America. The taxpayers are willing to do this, we've seen it from Republican and Democratic leaders in the states.

We owe it to our veterans that since they cannot satisfy their residency requirements, we need to offer them in-state tuition.

Mr. FLORES. Mr. Gonzalez?

Mr. GONZALEZ. Sir, one other thing I would address, and I guess I would add on to what Mike said about. There is a precedence, the precedence is with the Higher Education Opportunity Act that was passed in 2008, Section 135, which actually indicates, if any servicemember whose domicile does not reside within a state that they're actually sent to for duty, and they're there for 30 consecutive days, they themselves including the dependents and spouse, will be granted in-state tuition within the state that they're stationed for more than 30 days consecutively.

So there is a precedence that already—it's already been implemented and put into play as of, you know, four or five years ago. So to say there's not a precedence, it's actually blatantly a lie.

And the other part I would address is for all the universities that say they want veterans, they're willing to help veterans, and I honestly say this, and we've learned this as of 48 hours ago, within the State of Maryland, we actually had a fight, the American Legion working with our other two colleagues and organizations, had to fight against the university system of Maryland within the State of Maryland, to pass a state waiver of residency for veterans within the State of Maryland, working with the governor's office and state legislatures.

But to see this blatantly fight behind closed doors, where they say we want to bring in more veterans, we want to help veterans, but behind closed doors, they're the first ones to say, you know, we don't want to grant this because it's going to hurt our budget, it's

not just economically detriment to our country, but is also not sound policy by no means, Chairman.

Mr. FLORES. Mr. Dakduk.

Mr. DAKDUK. Thank you, Mr. Chairman. I'm not going to repeat what any of the other folks said here, especially my colleagues from the VFW and American Legion, but you may have heard in the previous testimony the Yellow Ribbon program, a lot of folks can sign up for the Yellow Ribbon program, schools do that.

Here's something where I don't think you should be fooled on this. If you run a school, and you sign up for the Yellow Ribbon program, you might be perceived to be veteran friendly because you signed up for it, but let's say the difference between out-of-state and in-state tuition is \$10,000, and your school signed up for the Yellow Ribbon program for a thousand dollars, and then the VA matches it for a thousand, it's \$2,000. That difference still ends up being 8,000.

So they can say they're a Yellow Ribbon school and they're supporting veterans, and they're veteran friendly, but at the end of the day, if they don't fully support the Yellow Ribbon program, which many institutions of higher learning do not, and make a claim that they're veteran friendly, that's not fully supporting the student veteran at the end of the day.

So that's one thing I want to clarify.

Another thing is that over the past couple of years, there's been a lot of issues about for-profit schools looking at veterans as dollar signs. I have traveled over half of the country, 26 states, I've made with hundreds of university presidents, CEOs, and most importantly student veterans. Interestingly enough, I have always said we need to stop talking about one sector, and talk about higher education as a whole when we support military veterans.

And now we have an instance where public universities, non-profit, private, and public are looking at veterans as dollar signs as well with in-state tuition and not providing that with them.

So I think that is very interesting over the last couple of years, how the focus has been on the for-profits, and I've always maintained that we need to look across the spectrum of higher education.

Mr. FLORES. Thank you, Mr. Dakduk. Let's shift gears for a minute, and talk about H.R. 631, the bill to improve TAP. Can each of you tell me a little bit about what you think, I mean if a servicemember is getting ready to further education, and this education could cost up to—cost the taxpayers \$250 to \$270,000 as you've shown as an example, we've put on the screen, do you believe that it's important to give that servicemember a thorough understanding of their benefits on the educational track, so that they make the best use of these pressure taxpayer dollars? And again, we'll start with Mr. Nicholson and go the other way. If you don't have a response, you can just pass, and we'll go to the next one.

Mr. NICHOLSON. Chairman Miller, we would—or excuse me, Chairman Flores, we would completely agree with that.

You know, the investment that we're making in these veterans, not only in education, but in some of the job training programs, and some of the programs that the VA has for transitioning

servicemembers who are becoming veterans is an extremely large financial commitment.

You know, I think anything we can do to ensure that we're making the absolute best possible strategic investment allowing them to make the most of their time, and their investment is certainly worthwhile.

Mr. FLORES. Mr. Gallucci?

Mr. GALLUCCI. Chairman Flores, thank you for the question. Absolutely we want to see the tracks mandated. After we heard from Dr. Kelly and the other witnesses on TAP mandate, I did a little poking around on my phone on the internet, just looked up the code in Title X where the Transition Assistance Program is mandated. And it says for employment and training, and I think that's a very important caveat to make and training, is where we talk about the education benefits that our veterans are going to be entitled to.

We agree with the military life cycle, we believe that you should prepare your servicemembers for career, for civilian career readiness as soon as they join the military, and it should be a lifelong learning process. However, that doesn't take into consideration the servicemembers that are near their end of time in service, and that's who we're worried about.

We're worried that if you have to meet career readiness standards within a finite amount of time as you approach ETS, but you fail to meet those career readiness standards, what happens? The military is obviously not going to retain you. To build on that, we believe in a lot of what Dr. Kelly and Secretary Kelly were talking about, with making these resources available to veterans after they transition.

We fully support the Marine Corps model, which I believe this legislation is based off of, which offers buy-end, that the Marine Corps can demonstrate success in administering their TAP program. So we're fully behind it, and we believe it's something that DoD, VA, Labor can easily accomplish.

Mr. FLORES. Okay. Thank you, Mr. Gallucci. Mr. Gonzalez?

Mr. GONZALEZ. Yes, Chairman. With the TAPs, the TAP program is also essential to not just a transitioning servicemember, but also to the country as a whole, to society as a whole, economically, which is also seen with the post war World War II veterans who created the long economic prosperity of this country, who became business owners, who became tradesmen, who became—went to higher education and gained another level of education within themselves, regardless of social economic class, we have not seen this amount of active duty servicemembers transition to veterans since post World War II.

So as a country, we owe it to ourselves as all of us as a society, to ensure that these servicemembers can be successful as they transition out, and TAP is one of those vehicles to ensure that their success, and they are successful coming out, regardless of what the definition of success is, because that is actually—that'll help our long economic prosperity for the country as a whole.

Mr. FLORES. Mr. Dakduk?

Mr. DAKDUK. Chairman Flores, we fully support H.R. 631, and my colleagues at the VFW and American Legion, and Student Vet-

erans of America, we've worked with the DoD and VA, and we've seen what they're doing to a certain extent, but I fully believe it's a step in the right direction. But H.R. 631, we want to see that enacted, and we'd like to make the tracks mandatory, especially the education track, I think that's extremely important. The post 9/11 GI Bill is highly complex, but applying to college, getting accepted, going through that process is extremely complex as well, so I think it's absolutely valuable as well as the entrepreneurship track and the vocational track as well.

Mr. FLORES. Thank you, Mr. Dakduk, and I'll make one closing editorial comment on 631 and 357. I think it's important for everybody to know that the U.S. taxpayers, according to the CBO, are going to invest \$72 billion over the next ten years in the post 9/11 GI program. So the American taxpayers are in this fully with the states, when you look at the potential impact of H.R. 357 on the states. We can't forget the Federal taxpayers are there alongside our veterans on this issue.

And with respect to—and you can similarly extend that to H.R. 631. If you want to get the best value of that \$72 billion, it makes sense for the education track to be mandatory for those servicemembers that would elect to forward that track.

And with that, I want to thank each of you for being here today. I'd like to remind the Subcommittee Members that hopefully are going to find out about this, that we're going to be holding a markup on some or all of the bills that we discussed today on April 25th at 10 a.m. in the morning here in 344 Cannon. I ask unanimous consent that statements from the National Coalition of Homeless Veterans and Vets First also be made part of the record today.

Hearing no objection, so ordered. Finally, I ask unanimous consent that all members have five legislative days to revise and extend remarks, and include any extraneous material in the record of today's hearing.

Hearing no objection, so ordered. And thank you, everyone, for being here, and we are adjourned.

[Whereupon, at 12:36 p.m., the Subcommittee was adjourned.]

## A P P E N D I X

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### Prepared Statement of Hon. Bill Flores

Good Morning everyone and the Subcommittee will come to order.

We have a total of nine bills before us, and a host of witnesses so I promise to keep my opening statement brief.

Two of the nine bills before us today are bills that I introduced earlier this year. The first is H.R. 631 the "Servicemembers Choice in Transition Act of 2013" which I introduced with Ranking Member Takano.

This bill is meant as a follow along to the VOW to Hire Heroes Act that would improve the transition assistance program, or TAP, for separating servicemembers.

The VOW Act made TAP mandatory for all but a very few servicemembers, and since the enactment of that bill the services and the administration have nearly completed an overhaul of the TAP program for the first time in decades. From what I have heard from veterans and my staff, the new curriculum is much improved but more can be done.

DoD has created several tracks or courses for servicemembers that focus on some of the most common transition paths that servicemembers take when separating. These tracks focus on the following areas: education, voc-tech, employment, and entrepreneurship.

These tracks are meant to provide in-depth knowledge on these topics and allow servicemembers the choice in picking training that best fits their transition goals. Unfortunately, that option is not included in the mandatory portion of TAP.

For example, if a veteran was planning to go to college and use their Post 9/11 GI Bill the education track should help them decide whether they are ready for post-secondary education and if not, how to get ready, what should be their education or training goal, what schools would best meet their education or training goal, how to complete the admissions process, and finally, how to finance their education or training.

As you can see on the slide, the Post 9/11 G.I. Bill benefit can provide over \$270,000 over four years at one of the most expensive schools in the country, in this case Stanford University. If taxpayers are going to provide this generous benefit, it is our duty to ensure that they know how to make best use of this benefit.

As I said, from everything we have heard from DoD, and as they will shortly testify to as well, they will not require that these tracks not be part of the mandatory portion of TAP. As a non-mandatory option, Servicemembers could take the optional track only if their supervisor would allow them to miss more days of work or if they don't meet the still undefined "career readiness standards."

Regarding those standards, how can we expect a Commanding Officer to reasonably determine whether a Servicemember's Individual Transition Plan actually reflects attainable objectives given the infinite variations in a member's life?

Therefore, I believe H.R. 631 would fill that gap by making the optional tracks part of the mandatory portion of TAP while giving the services flexibility to meet these requirements. The model I am proposing as you can see on the screen provides each servicemember with an executive summary of each track followed by time to take the track of their choice along with classes on VA benefits and service specific separation counseling. The model shows five days but it could be seven or eight days, whatever it takes to get the job done.

This model is based off a model that the Marines have been piloting with great success for some time.

My second bill, H.R. 1316, seeks to codify the roles and responsibilities of Directors of Veteran Employment and Training or DVETS (Dee-VETS). DVETS are Federal employees who represent the Veterans Employment and Training Service on the state level and whose primary responsibility is to oversee the DVOPS and LVERS who are funded by the Jobs for Veterans State Grant Program. Curiously, Title 38 contains no specific responsibilities for the DVETS. It only says there shall be DVETS and Assistant DVETS.



The performance of the DVOPS and LVERS continues to be topic of concern for this Committee and by codifying the responsibilities of DVETS we will strengthen their position with their state to improve the performance of the DVOPS and LVERS - something I am sure we can all agree must happen.

With that I happy to yield to the Ranking Member for any opening statement he may have.

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#### **Prepared Statement of Hon. Mark Takano**

Thank you Mr. Chairman.

Good morning, I would like to thank everyone for joining us and I would like to thank our witnesses for taking time to testify and answer our questions.

We have a number of bills before us today which extend or refine important veterans' programs like the Post 9/11 GI Bill, veterans' vocational rehabilitation and retraining, transition assistance, work-study, and participation in U.S. Paralympics programs, among others.

I want to thank Mr. Flores for introducing HR 631, and which I have cosponsored. I support this bill and I am interested in making the optional tracks in the Transition Assistance Program mandatory. The bill requires that additional time be spent helping warriors understand the educational, training and employment resources they have earned—and how and where to access them.

Mr. Chairman I want to highlight two bills I have introduced:

1. The VetSuccess Enhancement Act, HR 844, which extends by five years, the time period when veterans with service-connected disabilities are eligible to enroll in VA vocational and rehabilitation programs. Veterans with traumatic brain injury or spinal cord injury often require years to complete rehabilitation and adjust to their new realities of the basic activities of daily living. Once this has been achieved, those who wish to return to work and need vocational rehabilitative services have often passed the 12-year eligibility period. And many other veterans do not become aware of this program until they are no longer eligible. My legislation will give these veterans 5 additional years to receive this training.

2. The second bill I introduced, "The Work-Study for Student Veterans Act," is a five year extension of the Veterans' Work-Study program at the Department of Veterans Affairs. As an educator, I know how important these programs are to students, allowing them to earn a little extra cash to live on while they attend school. The VA program pays veterans to assist other transitioning veterans in navigating VA's claims and benefits system. It is an important program to veteran students in my district and to thousands of others in schools across the country. Without my legislation, it will expire at the end of June. I hope members from both sides of the aisle will support it along with H.R. 844.

Thank you, Mr. Chairman, for scheduling this hearing to review these bills. I look forward to the testimony and discussion we will have today.

I yield back.

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#### **Prepared Statement of Curtis L. Coy**

Good morning, Mr. Chairman, Ranking Member Takano, and other Members of the Subcommittee. Thank you for the opportunity to be here today to provide the Department of Veterans Affairs' (VA) views on pending legislation affecting VA's programs, including the following: H.R. 357, H.R. 562, H.R. 631, H.R. 844, and H.R. 1402, as well as a draft bill to authorize an extension of VA's work-study training program for certain activities, and sections 3 and 4 of a draft bill to improve and increase the availability of VA's on-job training and apprenticeship programs. Other bills under discussion today would affect programs or laws administered by the Department of Labor (DOL). Respectfully, we defer to that Department's views on H.R. 1305, a bill to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program, and H.R. 1316, a bill to specify the responsibilities of the Directors and Assistant Directors of Veterans' Employment and Training.

Accompanying me this morning is Mr. Danny Pummill, Director, Veterans Benefits Administration (VBA)/Department of Defense (DoD) Program Office.

*H.R. 357*

H.R. 357, the “GI Bill Tuition Fairness Act of 2013,” would amend section 3679 of title 38, United States Code, to direct VA, for purposes of the educational assistance programs administered by the Secretary, to disapprove courses of education provided by public institutions of higher education that do not charge tuition and fees for Veterans at the same rate that is charged for in-state residents, regardless of the Veteran’s state of residence. The bill does not address whether tuition and fee rates for Servicemembers or other eligible beneficiaries of the GI Bill affect the approval status of a program of education. H.R. 357 would apply to educational assistance provided after August 1, 2014. In the case of a course of education in which a Veteran or eligible person (such as a spouse or dependent who is eligible for education benefits) is enrolled prior to August 1, 2014, that is subsequently disapproved by VA, the Department would treat that course as approved until the Veteran or eligible person completes the course in which the individual is enrolled. After August 1, 2018, any disapproved course would be treated as such, unless the Veteran or eligible person receives a waiver from VA. While VA is always supportive of States affording the best and most affordable possible educational opportunities for Veterans, VA cannot offer support for this legislation because of its uncertain impact on the availability of educational choices for Veterans, Servicemembers, or their dependents.

It is difficult to predict what reductions in offerings by educational institutions would result by this requirement. In-state tuition rules are set by individual States, and are undoubtedly driven by overall fiscal factors and other policy considerations. Additionally, the bill creates ambiguity since it is unclear whether institutions that charge out-of-state tuition and fees to other eligible persons for a course of education, but that charge in-state tuition to Veterans in the same course, would also be disapproved.

This bill may result in a decrease in program expenditures by reducing the number of individuals who participate in the Yellow Ribbon program because either: (1) they would no longer be charged the out-of-state tuition amount if they are attending a public school outside their state of residence, or (2) they would choose not to participate at all because of reduced educational choices. As noted above, it is difficult to project the effect of this legislation on the courses offered by public educational institutions.

VA estimates approximately 11.8 percent of Yellow Ribbon participants attended public institutions since the program’s inception. Of those, an estimated 80.6 percent were Veterans during the 2012 fall enrollment period. VA applied these percentages to the total amount of Yellow Ribbon benefits paid in FY 2012 and projected through FY 2023, assuming growth consistent with the overall chapter 33 program. Based on those projections, VA estimates that enactment of H.R. 357 would result in benefit savings to VA’s Readjustment Benefits account of \$2.3 million in the first year, \$70.3 million over five years, and \$179.9 million over ten years. VA estimates there would be no additional GOE administrative costs required to implement this bill.

*H.R. 562*

H.R. 562, the “VRAP Extension Act of 2013,” would amend Title II of Public Law 112–56, the “VOW to Hire Heroes Act of 2011,” to extend for 3 months (through June 30, 2014), the Veterans Retraining Assistance Program (VRAP) authorized by section 211 of that title. It also would direct VA, in collaboration with DOL, to submit to Congress, not later than 30 days after the date of enactment of H.R. 562, an interim report on the retraining assistance provided under such program. The report would include the total number of eligible Veterans who had participated in the program as of the date of the enactment of the bill, the total number of associates degrees or certificates awarded to these Veterans, and other data relating to the employment status of such Veterans.

VA supports legislation that would extend the VRAP program. Extending VRAP by three months would offer Veterans more time to select and complete their degree or certificate program.

While VA is prepared to provide an interim report regarding the number of VRAP participants since inception of the program, we have concerns about providing a report on degree and certificate outcomes and employment status of participants because the program does not end for another year. We recommend, in the alternative, that an interim report be required no later than 90 days after enactment of the proposed legislation, which would exclude the employment status of participants. This change would allow VA and DOL an opportunity to collect statistics regarding educational outcomes and provide additional time for VRAP participants to complete

their program of education. Given the nature of employment data collection, there is a significant time lag between when a veteran receives employment services and when their employment outcome can be adequately tracked. For example, for those who completed their VRAP training and received DOL follow-up employment services by December 31, 2012, job-related outcomes will not be available until November 2013, as there is roughly an 11-month lag between the availability of State wage records and the calculation of the Entered Employment measure. Collecting outcomes before participants use a full year of their benefits would give an inaccurate picture of the success of the program. VA also recommends if the program is extended for an additional three months, the date of the final report to Congress, which the bill currently sets as on or before July 1, 2014, should also be extended for three months to October 1, 2014. VA would not be able to provide a full report to Congress on the program participants on July 1, 2014 for the reasons stated above.

VA estimates no benefit costs to the Readjustment Benefits account associated with this proposal. VA already assumes maximum participation and usage for VRAP in its budget estimates. While this bill would provide Veterans an additional three months to utilize their VRAP benefit, there would be no increase or other change in Veterans' eligibility or entitlements. GOE costs for this legislation would be negligible and would be absorbed within existing resources.

#### *H.R. 631*

H.R. 631, the "Servicemembers' Choice in Transition Act of 2013," would amend section 1144 of title 10, United States Code, concerning the Transition Assistance Program (TAP), which provides employment and job training assistance and related services for members of the Armed Forces being separated from active duty, and for their spouses, to add a new subsection delineating the Program's format and content.

H.R. 631 proposes a curriculum similar to the Transition Goals, Plans, Success (Transition GPS) curriculum currently being implemented worldwide. This bill would require that TAP consist of at least five days of instruction to include: (1) at least one day of service-specific pre-separation training; (2) up to one day for instruction in preparation for employment, preparation for education, career, or technical training, preparation for entrepreneurship, or other options determined by the Secretary of the military department concerned; (3) at least two days of in-depth instruction of the participant's choice in any of the subjects described under (2), above; and (4) up to one day of instruction in benefits provided under laws administered by VA and in other subjects determined by the Secretary concerned.

H.R. 631 also would require VA to submit to the Senate and House Committees on Veterans' Affairs, not later than 180 days after the date of enactment, the results of a study to determine the feasibility of providing Veterans benefits instruction at all overseas locations where such instruction is provided through a joint contract with DOL.

VA does not support this legislation. VA appreciates the strong interest and support from the Committee to ensure that departing Servicemembers are given full and effective engagement on their employment and training opportunities, as well as the other VA benefits they have earned. However, it is our view that the programs implemented as a result of "VOW to Hire Heroes Act of 2011" and the Veterans Employment Initiative (VEI) satisfy the intent underlying H.R. 631. We believe those initiatives should be afforded the opportunity to be fully implemented and assessed before further legislation in this area is enacted. Allowing agencies to proceed under current plans would provide greater flexibility in implementing improvements and making adjustments based on accurate data analysis during assessment. We will be pleased to brief the Subcommittee on the improvements and enhancements that are currently being implemented as part of the VEI.

VA, with Federal agency partners, including DoD, DOL, the Department of Education, the Department of Homeland Security, and the Small Business Administration (SBA), is currently participating in the implementation of an enhanced TAP curriculum, known as Transition GPS, which was developed under the VEI.

Current components of the Transition GPS curriculum include mandatory pre-separation counseling, service-delivered modules, VA benefits briefings, a DOL Employment Workshop, and tracks the participant many choose to utilize, focused on technical training, educational, and entrepreneurial information, resources, and opportunities.

The Capstone event will be implemented by the end of FY 2013, and it is intended to confirm that Servicemembers have met all the objectives of the Career Readiness Standards and have a viable plan to successfully achieve their transition goals. With

the implementation of this event by the end of FY 2013, the Transition GPS curriculum will take approximately seven to eight days to complete.

VA has primary responsibility in the development and delivery of VA benefits briefings and the technical training track, as well as additional responsibilities to support partner agencies in the implementation of the education track, the entrepreneurship track, and the Capstone event. The Capstone event is intended to serve as an end-of-career experience to verify, and bolster transition training and services.

It is important to note that a key VEI recommendation is the institution of a long-term military lifecycle transition model, which would incorporate career readiness and transition preparation into the entire span of a Servicemember's career, from accession to post-military civilian life. If the military lifecycle model were to be implemented, as is currently intended, the transition training activities would not be limited to the end of a Servicemember's career. Instead, preparation for transition would be a military career-long focus.

The current VA TAP briefings take six hours, and the bill's mandate for a full day of briefings, currently interpreted as eight hours, would require VA to develop additional curriculum, train briefers on this curriculum, and potentially hire additional briefers. VA does not believe this mandate would represent the best use of its transition resources.

The bill provides that the TAP program would include at least five days of instruction. The current Transition GPS curriculum is envisioned to take up to seven days (five days of mandatory and Department of Defense modules, plus two days of optional tracks delivered by the Services and partner agencies), with the potential for additional hours required for pre-separation counseling and the Capstone event. Moreover, the eventual move to a military lifecycle model would involve supplementary instruction during Servicemembers' careers.

As Servicemembers progress through the current Transition GPS program, they focus part of their efforts on beginning to identify their next steps for transition (e.g., pursue employment, higher education, technical training, or self-employment). This is accomplished through both the Military Occupational Classification Crosswalk module and the DOL Employment Workshop. Additionally, existing VA programs, such as the Educational and Vocational Counseling program (Chapter 36), already provide such supplemental assistance for eligible transitioning Servicemembers. While additional time may be dedicated to assist Servicemembers in making an informed decision on which path to choose, dedicating a whole day to this topic may be excessive and duplicative given the recommendation for a long-term military lifecycle transition model, which would incorporate career readiness and transition preparation throughout a Servicemember's term of enlistment or career.

Furthermore, the Transition GPS curriculum makes a distinction between education and technical training tracks. VA has responsibility for the technical training track of Transition GPS and has devoted resources to curriculum development and piloting of this module. It is not clear how this module would fit into the curriculum as mandated by H.R. 631. There is anecdotal evidence to suggest that Servicemembers would benefit from the option of choosing either the education or technical training tracks, as planning for these career choices somewhat differs. The current curriculum model enables such specialization and differentiation in the curriculum, thus improving the quality of the Servicemember's experience.

As noted, VA is in the process of fine-tuning delivery and content to best meet Servicemembers' needs, and additional legislation at this stage may hinder those efforts.

VA estimates that enactment of H.R. 631 would result in administrative costs to VA of \$8 million for the first year (including salary, benefits, travel, rent, supplies, training, equipment, and other services, to include curriculum development), \$39.3 million for five years, and \$83.8 million over ten years. VA estimated IT costs for the first year are \$300,000 (including the IT equipment for FTE, installation, maintenance, and IT support), \$800,000 for five years, and \$1.9 million over ten years.

#### *H.R. 844*

H.R. 844, the "VetSuccess Enhancement Act," would amend section 3103 of chapter 31, title 38, United States Code, pertaining to training and rehabilitation for Veterans with service-connected disabilities, to extend, from 12 to 17 years after discharge or release from active-duty service, the authorized period for such Veterans to enroll in certain VA vocational training and rehabilitation programs. This amendment would be effective with respect to Veterans applying for assistance under chapter 31 on or after the date of enactment of the Act.

Provided that Congress finds funding offsets, VA supports extending the basic period of eligibility for vocational rehabilitation and employment (VR&E) services. Individuals may need vocational rehabilitation services during the transition from military to civilian life, during mid-life when disabilities worsen or a career change is needed, or later in life when independent-living concerns may appear. By extending the period of eligibility, VR&E staff would be able to provide individuals who meet the eligibility and entitlement criteria for services under Chapter 31 with the services and assistance they need within a wider window of time.

VA estimates that enactment of H.R. 844 would result in benefit costs to VA of \$2.7 million for the first year, \$15.3 million over five years, and \$35.3 million over ten years. There are no administrative costs associated with this bill because the caseload increase would be minimal.

#### *H.R. 1402*

H.R.1402 would amend section 322 of title 38, United States Code, to extend for 5 years (through FY 2018) the yearly \$2 million appropriations authorization for VA to pay a monthly assistance allowance to disabled Veterans who are invited to compete for a slot on, or have been selected for, the U.S. Paralympic Team in an amount equal to the monthly amount of subsistence allowance that would be payable to the Veteran under chapter 31, title 38, United States Code, if the Veteran were eligible for and entitled to rehabilitation under such chapter. H.R.1402 also would amend section 521A of title 38 to extend for 5 years (through FY 2018) VA's appropriations authorization, with amounts appropriated remaining available without fiscal year limitation, for grants to United States Paralympics, Inc. (now the United States Olympic Committee) to plan, develop, manage, and implement an integrated adaptive sport program for disabled Veterans and disabled members of the Armed Forces. These Paralympic programs have experienced ongoing improvement and expansion of benefits to disabled Veterans and disabled Servicemembers, to include 115 Veterans qualifying for the monthly assistance allowance, and over 1,900 Paralympic grant events with over 16,000 Veteran participants during FY2012. Under current law, both authorities will expire at the end of FY2013.

VA supports extension of these authorities, but recommends further revisions, to improve the accessibility and equity of these programs, by extending monthly assistance allowances to disabled Veterans who are invited to compete for a slot on, or have been selected for, the United States Olympic Team (not just the Paralympic Team) or Olympic and Paralympic teams representing the American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, and the U.S. Virgin Islands, by authorizing grants to those Olympic and Paralympic sports entities, and by clarifying that the current authority to award grants is to promote programs for all adaptive sports and not just Paralympic sports.

VA estimates there would be no costs associated with implementing this bill.

#### *Draft Legislation Affecting Work Study*

This draft bill would amend section 3485(a)(4) of title 38, United States Code, extending for five years (through June 30, 2018) VA's authority to provide work-study allowances for certain already-specified activities. Under current law, the authority is set to expire on June 30, 2013.

Public Law 107-103, the "Veterans Education and Benefits Expansion Act of 2001," established a five-year pilot program under section 3485(a)(4) that expanded qualifying work-study activities to include outreach programs with State Approving Agencies, an activity relating to the administration of a National Cemetery or a State Veterans' Cemetery, and assisting with the provision of care to Veterans in State Homes. Subsequent public laws extended the period of the pilot program and, most recently, section 101 of Public Law 111-275, the "Veterans' Benefits Act of 2010," extended the sunset date from June 30, 2010 to June 30, 2013.

VA does not oppose legislation that would extend the current expiration date of the work-study provisions to June 30, 2018. We would prefer that the legislation provide a permanent authorization of the work-study activities, rather than extending repeatedly for short time-periods.

Benefit costs are estimated to be \$178,000 during FY 2013 and \$5.14 million for the five-year period beginning on June 30, 2013 through June 30, 2018.

#### *Draft Legislation Affecting OJT/Apprenticeship*

Section 2 of this draft bill, the "Improving Job Opportunities for Veterans Act of 2013," would require VA to carry out a public relations campaign to promote VA on-job training (OJT) and apprenticeship programs available to Veterans as highly

efficient and cost-effective ways of obtaining jobs. Section 3 of the draft bill also would reduce, during the 3-year period beginning on the date that is one year after the date of enactment, the amount of wages paid the eligible veteran or person in an OJT program not later than the last full month of that training period from 85 percent to 75 percent of the wages paid for the job for which such individual is being trained. Section 4 of the draft bill would require VA, not later than one year after the date of enactment, to enter into agreements with other Federal departments and agencies to operate their own OJT programs under section 3677 of title 38, United States Code, to train eligible Veterans or persons in skills necessary to obtain employment by those entities. Finally, section 5 of the draft bill would extend until January 31, 2017, the reduced pension for certain Veterans covered by Medicaid plans for services furnished by nursing facilities.

VA does not object to the provision in section 3 that would temporarily reduce the requirement under section 3677 that wages paid the eligible Veteran or person must be 85 percent of the full wages paid for the job near the end of the training program. This amendment may increase the number of job-training programs for Veterans in the future.

VA supports the intent underlying section 4; however, we do not believe legislation is necessary since VA currently has authority to approve federal OJT and apprenticeship programs under section 3672(b) of title 38, United States Code.

We will provide views on sections 2 and 5, and cost estimates for all sections of this draft bill at a later date.

Mr. Chairman, this concludes my statement. Thank you for the opportunity to appear before you today. I would be pleased to respond to questions you or the other Members of the Subcommittee may have regarding our views as presented.

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#### **Prepared Statement of Dr. Susan Kelly**

Chairman Flores, Ranking Member Takano, and other Members of the Subcommittee, thank you for this opportunity to provide testimony on the Department of Defense views (DoD) on legislation currently being considered by the subcommittee. My testimony this morning will be limited to H.R. 631, "Servicemembers' Choice in Transition Act of 2013", which would amend section 1144 of title 10, United States Code, pertaining to the Transition Assistance Program (TAP). I defer to the views of the Department of Veterans Affairs, and the Department of Labor as appropriate, on the remaining bills.

The Department appreciates the continued interest and support of this subcommittee for all members of the armed services but in particular for those preparing for their transition from military service. While we believe the intent of this bill is to improve the transition process for separating Service members, we have concerns over how it would, if enacted, contradict the requirements of the VOW to Hire Heroes Act of 2011 (Public Law 112-526), codified in Chapter 58, title 10, United States Code. The VOW Act was intended to prepare transitioning Service members to join, and be competitive, in the labor market by using the skills, knowledge, experience and benefits they have earned. After a thorough review of this legislation, the Department is unable to support this bill as we believe it would not only undermine the progress already made in the redesign of the Transition Assistance Program, but would also potentially disadvantage our Service members and our ability to ensure they are "career ready".

In compliance with the VOW Act and in accordance with the recommendations of the Veterans Employment Initiative Task Force, the Department of Defense, Military Departments and our interagency partners are successfully implementing the redesigned TAP. The redesigned TAP, including the new curriculum called Transition GPS (Goals, Plans, Success) is aligned with the VOW Act, as codified in Chapter 58, title 10, United States Code, which requires all eligible Service members discharged or released from active duty after serving at least 180 continuous days or more (including National Guard and Reserves) participate in Pre-separation Counseling, Department of Veterans Affairs (VA) Benefits Briefings and the Department of Labor (DOL) Employment Workshop. Although some Service members may be exempted from attending the DOL Employment Workshop, every Service member is required to attend Pre-separation Counseling and the revised VA Benefits Briefings.

Additional components of the redesigned TAP include specialized tracks developed for Service members to tailor their transition program to correspond with their expressed interest in achieving their future employment goals through Higher Education, Career Technical Training, or Entrepreneurship. These specialized tracks are being piloted now to collect critical feedback and Service member assessment in

order to develop the curriculums that will be phased in by fiscal year 2014. The cornerstone of the redesigned TAP is the concept of Career Readiness Standards. These defined standards correspond to deliverables that all Service members meet prior to separation, like a 12 month post separation budget. The value of the Career Readiness Standards in ensuring the Department equips our Service members with the tools they need to become valued, productive and employed members of our labor workforce cannot be overstated. The Department and our partners have been fully engaged in implementing the redesigned program.

The VOW Act requires the DOL Employment Workshop to be a mandatory portion of TAP. H.R. 631 conflicts with the VOW Act by making the full employment workshop one of a number of optional choices for transitioning Service members. As the VOW Act intended, Service members benefit from the employment workshop regardless of their immediate plans upon leaving military service because all separating Service members will need these critical employment, resume, and interview skills at some point in their future.

Additionally, under H.R. 631, the DOL employment workshop curriculum would need to be significantly redesigned to fit into the bill's mandated structure, curriculum, and delivery schedule. By giving the Department a defined time to educate these Service members, the proposed legislation undermines the adult learning principles, intended learning objectives, and curriculum design that forms the underpinning of the Transition GPS curriculum. For example, the Department of Labor currently requires three full days of adult learning instruction, which would be limited to two days under the optional election prescription of H.R. 631. The prescriptive timeframe reduces the ability of the entire redesigned TAP to evolve into the Military Life Cycle (MLC) TAP and mature to keep pace with changes in adult learning, adjust to include skills-building that our Service members tell us they need, and respond to developments in the job search arena.

As previously mentioned, at the heart of the redesigned TAP are the Career Readiness Standards. The learning objectives for the Transition GPS curriculum component, as well as a robust, portable, virtual curriculum, build the skills needed to develop the concrete deliverables required to meet the new Career Readiness Standards. The Department believes that the best course of action at this time is to continue the implementation of the new redesigned TAP in accordance with the VOW Act and the recommendations of the Veterans Employment Initiative Task Force. We will continue to work with your staff to keep this subcommittee updated on our progress.

In summary, the changes to the redesigned TAP as proposed by H.R. 631 would be a setback to the current program implementation and would undo months of collaborative, interagency progress. It would impose an additional fiscal burden in redesign, piloting, potential classroom space and would generate implementation challenges for the Military Services. Finally, we feel this legislation would decrease the quality of the overall curriculum and reduce the effectiveness of the redesigned TAP. Ultimately this legislation would stymie the current progress and prevent our program from meeting the intended outcome, which is to prepare Service members to effectively transition to valued employment in communities across our country.

Mr. Chairman, this concludes my statement. On behalf of the men and women in the Armed Forces and their families, I thank you and the members of this subcommittee for your continued steadfast support.

### **Executive Summary**

While the Department believes the intent H.R. 631 is to improve the transition process for separating Service members, we have concerns over how it would, if enacted, contradict the requirements of the VOW to Hire Heroes Act of 2011 (Public Law 112-526), codified in Chapter 58, title 10, United States Code. The VOW Act was intended to prepare transitioning Service members to join, and be competitive, in the labor market by using the skills, knowledge, experience and benefits they have earned. After a thorough review of this legislation, the Department is unable to support this bill as we believe it would not only undermine the progress already made in the redesign of the Transition Assistance Program (TAP), but would also potentially disadvantage our Service members and our ability to ensure they are "career ready".

In compliance with the VOW Act and in accordance with the recommendations of the Veterans Employment Initiative Task Force, the Department of Defense, Military Departments and our interagency partners are successfully implementing the redesigned TAP. The redesigned TAP curriculum, including the new curriculum called Transition GPS (Goals, Plans, Success), is aligned with the with the VOW Act, as codified in Chapter 58, title 10, United States Code, which requires all eligible Service members discharged or released from active duty after serving at least

180 continuous days or more (including National Guard and Reserves) participate in Pre-separation Counseling, Department of Veterans Affairs (VA) Benefits Briefings and the Department of Labor (DOL) Employment Workshop. Although some Service members may be exempted from attending the DOL Employment Workshop, every Service member is required to attend Pre-separation Counseling and the revised VA Benefits Briefings.

The cornerstone of the redesigned TAP is the Career Readiness Standards. These defined standards correspond to deliverables that all Service members meet prior to separation, like a 12 month post separation budget. The value of the Career Readiness Standards in ensuring the Department equips our Service members with the tools they need to become valued, productive and employed members of our labor workforce cannot be overstated. The VOW Act requires the DOL Employment Workshop to be a mandatory portion of TAP. H.R. 631 conflicts with the VOW Act by making the full employment workshop one of a number of optional choices for transitioning Service members. As the VOW Act intended, Service members benefit from the employment workshop regardless of their immediate plans upon leaving military service because all separating Service members will need these critical employment, resume, and interview skills at some point in their future.

Additionally, under H.R. 631, the DOL employment workshop curriculum would need to be significantly redesigned to fit into the bill's mandated structure, curriculum, and delivery schedule. By giving the Department a defined time to educate these Service members, the proposed legislation undermines the adult learning principles, intended learning objectives, and curriculum design that forms the underpinning of the Transition GPS curriculum. For example, the Department of Labor currently requires three full days of adult learning instruction, which would be limited to two days under the optional election prescription of H.R. 631.

The Department believes that the best course of action at this time is to continue the implementation of the new redesigned TAP in accordance with the VOW Act and the recommendations of the Veterans Employment Initiative Task Force.

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## Prepared Statement of Keith Kelly

### *Introduction*

Good Morning Chairman Flores, Ranking Member Takano, and distinguished Members of the Subcommittee. Thank you for the opportunity to testify before you today to discuss the Department of Labor's (DOL or Department) views on pending legislation. I commend you all for your tireless efforts to ensure that America fulfills its obligations to our returning servicemembers, veterans, and their families.

President Obama, Acting Secretary of Labor Seth Harris and I are committed to serving these brave men and women as well as they have served us by ensuring they have the opportunities, training and support they deserve to succeed in the civilian workforce. The Department will continue to work with the Members of the Subcommittee to provide our returning servicemembers, veterans, and their families with the critical resources and expertise needed to assist and prepare them to obtain meaningful careers, maximize their employment opportunities, and protect their employment rights.

While this hearing is focused on numerous bills before the Subcommittee, I will limit my remarks to those pieces of legislation that have a direct impact on DOL, including the following: H.R. 562, the "VRAP Extension Act of 2013," H.R. 631, the "Servicemembers Choice in Transition Act of 2013," H.R. 1305, a bill to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program (HVRP), and H.R. 1316, the "Directors of Veterans' Employment and Training Accountability Act." DOL respectfully defers to the Departments of Defense (DOD) and Veterans Affairs (VA) on the remaining pieces of legislation.

### *H.R. 562 – VRAP Extension Act of 2013*

The first piece of legislation that I will address is H.R. 562, the VRAP Extension Act of 2013. H.R. 562 would amend Section 211 of the VOW to Hire Heroes Act of 2011 (VOW Act) to extend the Veterans Retraining Assistance Program (VRAP) for an additional three months from March 31, 2014 to June 30, 2014. In addition, the bill would require the VA, in collaboration with DOL, to submit an interim report on the program, including the employment status of program participants, within 30 days of the bill's enactment. The Department supports the three month extension of VRAP, but we have concerns about the new requirement for an interim report, which I will discuss in more detail.



The Department is committed to the success of VRAP, an important program that provides retraining assistance to unemployed veterans aged 35 to 60 to pursue an associate degree or certificate in a high-demand occupation. The Department fully supports the intent of Section 211 and has been working diligently with the VA to carry out the VRAP provisions since the VOW Act was enacted in November of 2011.

DOL has assisted in the administration of VRAP, by, among other things, conducting outreach to veterans, developing guidance for the workforce system, identifying high-demand occupations, and verifying applicants' initial eligibility based on age, employment status, and previous participation in other job training programs. In addition, the Department works to support veterans before, during, and following their participation in VRAP with employment services, such as resume development, job referrals, and case management through the national network of approximately 2,700 American Job Centers, and a suite of online tools.

DOL's responsibilities under VRAP have required, among other things, modifications to current reporting systems, approval of new data collections, and development of processes and data management tools to ensure states and local areas can contact VRAP participants as they exit the program, offer employment services, and track their employment outcomes. Since the public workforce system is designed to be decentralized and locally-driven, these ongoing responsibilities present unique administrative challenges for the Department and the workforce system as a whole.

Initial implementation costs during the first year of VRAP were met by re-directing Departmental funds that had been appropriated for research and demonstration projects. These implementation costs included providing modest grants to states to help with VOW Act costs, including VRAP reporting, and contractor support to assist with ongoing technical assistance to states' outreach to VRAP participants, IT needs, and performance reporting requirements. While DOL will continue to fulfill the requirement under the VOW Act to contact veterans following their participation in VRAP to offer them employment services, and veterans will continue to receive priority of service in the public workforce system, the level for employment services available for VRAP participants may be affected by the availability of Workforce Investment Act and Wagner-Peyser Act funds to provide such services through American Job Centers.

In addition, the Department has serious concerns with the requirement that the VA submit an interim report within 30 days after enactment that will include program outcomes. Employment outcomes will not be available 30 days after enactment because of the 11-month lag time between when a veteran receives employment services and when data on their employment outcomes can be sufficiently tracked. Therefore, the Department supports the three month extension of VRAP, but recommends limiting any interim report to administrative data and defers to VA on the best data elements and timeframe for submission of the interim report.

#### *H.R. 631 – Servicemembers' Choice in Transition Act of 2013*

The Transition Assistance Program (TAP) under Section 1144 of Title 10 (U.S.C. 1144) is an interagency effort between DOL, DOD, VA, Department of Homeland Security, and other Federal agencies aimed at providing separating servicemembers and their spouses with the training and support they need to successfully transition to the civilian workforce. As part of TAP, DOL utilizes its extensive expertise in employment services to provide a comprehensive three-day employment workshop at U.S. military installations around the world.

H.R. 631, the "Servicemembers' Choice in Transition Act of 2013," would amend TAP to require it to consist of at least five days of instruction as follows: (1) at least one day of service-specific pre-separation training; (2) up to one day for instruction in preparation for employment, preparation for education or career or technical training, preparation for entrepreneurship, or other options determined by the Secretary of the military department concerned; (3) at least two days of in-depth instruction of the participant's choice in any of the aforementioned subjects; and (4) up to one day of training in VA benefits provided and in other subjects determined by the Secretary of the military department concerned.

The Department has serious concerns about H.R. 631 because we believe it would seriously impede DOL's efforts to fulfill our statutory obligations under the VOW Act and provide separating servicemembers with the training and support they need to successfully transition to the civilian workforce. H.R. 631 would undermine the implementation currently underway of the redesigned DOL employment workshop and the new Transition GPS (Goals, Plans, Success) training and delivery model that DOD, VA, DOL and other agencies have been working together to execute.

Section 1144 of Title 10 requires the Secretary of Labor to “establish and maintain a program to furnish counseling, assistance in identifying employment and training opportunities, help in obtaining employment and training and other related information and services to members of the armed forces . . . .” Congress, through the VOW Act and other legislation, also mandated that DOL include certain elements in the TAP employment workshop. The VOW Act further enhanced TAP by requiring mandatory participation for all transitioning servicemembers and requiring contractor facilitation of the employment workshop to ensure a standardized curriculum. As the VOW Act intended, servicemembers benefit from taking the DOL employment workshop regardless of their immediate plans upon leaving military service. Even servicemembers who intend to enroll in school or start a business will need the skills that are provided during the DOL employment workshop, such as translating their military skills and building a resume of their accomplishments.

Moreover, as the Members of the Subcommittee know, the Department just completed a major effort aimed at redesigning the employment workshop curriculum to align it with emerging best practices in career development and to make it more engaging and relevant in light of the unique challenges facing transitioning servicemembers. The redesign of the employment workshop was an extensive process that evolved over several years involving many federal agencies, pilot programs and curriculum reviews. DOL wanted to ensure it was providing the best possible product.

After extensive review and consultation with experts on training, education and the military services, DOL determined that the optimal delivery was a three-day format. This decision was based on the amount of time it would take to properly deliver all the material required under Section 1144 of Title 10 and to meet the learning objectives and ensure an effective and efficient program to prepare our servicemembers. Over the past few months, the Department completed the transfer to contract facilitation and full implementation of the new employment workshop curriculum at all military installations worldwide. I am happy to report that the new curriculum has been well received as demonstrated by preliminary feedback from over 2,000 attendees during January and February of this year, who gave the employment workshop an overall rating of 4.4 on a scale of 1–5, with 5 being the highest rating. While the data strongly suggests that the Department’s revised employment workshop is headed in the right direction, H.R. 631 would significantly undermine these efforts.

Under H.R. 631, the Department would have to completely redesign the new curriculum in structure, content, and delivery and in consultation with numerous other agencies. Further, the legislation would be very difficult to administer and would significantly increase program costs. Moreover, the Department would likely have to re-compete and renegotiate the facilitation contract. The Department also has serious concerns about the feasibility of implementing all of these proposed changes in only six months.

Most importantly, however, the overall impact of this legislation would negatively affect transitioning servicemembers. These men and women deserve the best possible services we can provide, and this bill would undermine such efforts. The Department looks forward to working with the Subcommittee to ensure that our transitioning servicemembers have the resources and training they need to successfully transition to the civilian workforce.

*H.R. 1305 – To Provide Clarification Regarding Eligibility for Services under the Homeless Veterans Reintegration Program (HVRP)*

DOL fully supports this legislation, which would expand eligibility for the Homeless Veterans’ Reintegration Program (HVRP) to include veterans participating in the Department of Housing and Urban Development/Department of Veterans Affairs Supportive Housing (HUD–VASH) program, while continuing our commitment to the Administration’s goal of ending veteran homelessness by 2015.

H.R.1305 also expands HVRP eligibility to include incarcerated veterans. As this subcommittee is aware, the HVRP currently serves incarcerated veterans through Incarcerated Veterans Transition Program (IVTP) demonstration project grants. The IVTP grants are designed to support incarcerated veterans “at risk” of homelessness by providing referral and career counseling services, job training, placement assistance and other benefits. Eligible IVTP participants include veterans who have been incarcerated for at least one (1) day and are within eighteen (18) months prior to release, or within six (6) months after release from a correctional institution or facility.

Data from the IVTP demonstration program in Program Years 2010 and 2011 shows that grantees have made a remarkable performance improvement in place-

ment rates (up 9.5%) and employment retention rates (up 17%), while decreasing their cost per participant (down 20%) and cost per placement (down 32%). DOL supports this bill as currently drafted. Both changes to the HVRP—the inclusion of incarcerated veterans beyond the current demonstration projects and veterans participating in the HUD–VASH program—will allow the Department to be responsive to the service needs of these populations.

*H.R. 1316 – Directors of Veterans’ Employment and Training Accountability Act*

H.R. 1316 would amend Section 4103 of Title 38 and legislatively prescribe the duties of our state Directors for Veterans’ Employment and Training, commonly known as “DVETs.” The Department appreciates the intent of this legislation; however, DOL has serious concerns with this bill, as it: (1) unduly prescribes the duties of our DVETs and removes much of the managerial flexibility possessed by the Assistant Secretary of Labor for Veterans’ Employment and Training; and (2) would be administratively difficult to implement.

Many parts of the bill are duties that DVETs already perform, which are assessed as part of their annual performance appraisal and are subject to other managerial oversight by the Assistant Secretary of Labor for Veterans’ Employment and Training. For example, our DVETs have performance standards that include the responsibilities noted in Sections 1(b)(3) – (5), and (8) – (14) of this bill. In addition, Section 1(b)(9) is essentially repeated in Section 1(b)(14).

As for the performance monitoring portions of the bill in Sections 1(b)(1) and (2), I would note that, per Section 4107 of Title 38, DOL already has a statutory mandate to monitor the performance of state employment and training programs and to report on such performance to the Congressional Committees on Veterans Affairs.

Other parts of H.R. 1316 would be problematic to implement. For example, Sections 1(b)(6)-(7) of the bill would require our DVETs to perform duties that are already being performed by DOL’s Office of Federal Contract Compliance Programs (OFCCP). Section 1(b)(7) is especially troubling because it would require our DVETs to investigate alleged violations of state veterans’ preference laws, but even if a DVET investigation found a substantiated case, DOL would lack the legal authority to take any remedial actions.

*Conclusion*

Americans know of the tremendous sacrifices made by our servicemembers and their families. We at the Department of Labor know this too, and that is why we are working diligently to provide them with the best possible services, protections and programs our Nation has to offer.

Mr. Chairman, Ranking Member Takano, and Members of the Subcommittee – this concludes my statement. Thank you again for the opportunity to testify today on these bills. I would be pleased to answer any questions you may have.

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**Prepared Statement of Charlie Huebner**

Chairman Flores, Ranking Member Takano, and members of the committee, my name is Charlie Huebner and I am the Chief of Paralympics, for the United States Olympic Committee (“USOC”). Thank you for the opportunity to submit a statement and testify before this Subcommittee in support of H.R. 1402, which extends the authorization for the highly successful, innovative and cost effective partnership between the USOC and the Department of Veteran Affairs to provide Paralympic sports and sustainable physical activity opportunities for disabled veterans at the community level.

Paralympic programs are sports for physically disabled athletes. It was founded and exists because of Veterans from World War II. Research has proven that Paralympic sport and physical activity is an impactful aspect of successful rehabilitation for disabled Veterans.

Research-based outcomes from consistent physical activity for disabled Veterans include higher self-esteem, lower stress levels and secondary medical conditions and higher achievement levels in education and employment.

At the beginning of combat operations the USOC expanded its service to injured members of our Armed Forces and Veterans by providing training, technical assistance and Paralympic ambassadors to installations and military medical centers. As combat escalated, Congress reached out to the USOC asking for us to do more!

I applaud the leadership in Congress, which realized that collaboration between the public and private sector, between Government agencies, non-profit organiza-

tions, and the private business sector could expand expertise and capabilities, and program awareness in a cost effective manner.

The legislation you created in Fiscal Year 2010, allowed the USOC and VA to significantly grow the capabilities and reach of physical activity programming to more than 16,000 disabled Veterans today in communities throughout America.

The authorization for this program expires at the end of Fiscal Year 2013. It is imperative that Congress act to extend the authorization for this program to ensure there is no interruption in the services being provided to our disabled veterans, and just as importantly, develop enhanced programming in collaboration with the private sector where there are significant needs.

The USOC, which itself was created by Congress, is one of only four National Olympic Committees that manage both Olympic and Paralympic sport. We are one of only a handful of National Olympic Committees that are 100% privately funded, with our major competitors outspending us often as much as 5-to-1. Innovation, collaboration and cost efficiencies are core to our organizational success and critical to this continued USOC and VA partnership.

Injured military personnel and Veterans are the soul of the Paralympic movement. When discussing the Paralympic Movement, we have two primary objectives. One: pursue excellence at the Paralympic Games. As a result of Paralympic Veteran role models and ambassadors such as Navy Lt. Brad Snyder, Army Veteran Melissa Stockwell, and Marine Veteran Oz Sanchez, the USOC and VA have been able to reach millions of Americans with stories of Veteran achievements and excellence. Second, and more importantly, the VA and USOC collectively have reached thousands of disabled Veterans and their families with stories of hope, and a roadmap to being healthy, productive and contributing members of society.

With partners such as PVA, IAVA, Disabled Sports USA and USA Hockey to name a few, the VA and USOC have created significant, sustainable and cost effective regional and local physical activity opportunities for disabled Veterans to pursue competitive excellence, but most importantly, for a majority of the thousands of physically disabled Veterans in the US to simply re-engage into society by being physically active with their sons, daughters, families, and friends.

It is as simple as skiing with your buddies again, or as one double amputee Army Ranger stated "I want to be able to run with my son."

This Committee, Congressional leaders, and Veteran and Military organizations asked the USOC to lead this effort due to our powerful, iconic, and inspiring brand; our expertise in physical activity and sport for persons with physical disabilities; and our significant infrastructure of member organizations. We have accepted the responsibility and opportunity to serve those who have served us. And because of your leadership in developing and providing funding for this USOC and VA partnership, we are able today to report the first phase of significant program success and expansion in less than three years of this legislation. Since June 2010, the VA and USOC have:

- Distributed more than 350 grants to community sport organizations to develop sustainable physical activity programs for disabled Veterans returning to their hometowns.
- These community programs are investing millions of dollars in private resources, combined with grants from the VA – USOC grant pool, to reach thousands of Veterans with a focus on sustainable and consistent physically activity at the local level.
- The VA and USOC have emphasized and led an effort to promote collaboration between the DOD, VA and community sport organizations to recognize and enhance programmatic and financial efficiencies. To date, grant recipients have collaborated and partnered with 85 VA Medical Centers in 39 states and military treatment facilities across the country.
- Created the Paralympic Resource Network, an online database of Paralympic programs nationally which is designed to link individuals with physical and visual disabilities to sports programs in their communities. There are now 340 organizations listed. This is over 35% more than the targeted goal of 250 organizations.
- Created consistent national and regional training, technical assistance and sharing of best practices to expand availability of sustainable programming at the community level
- Distributed training stipends to over 115 Veteran athletes; 43 of these athletes have met the national team standard in their respective sports.
- Implemented regional and national public relations and communications strategies resulting in major national media campaigns and news stories that have

reached millions of Americans with stories of Paralympic Veterans as national ambassadors

- Significantly expanded and implemented, accountability and oversight processes that include USOC-led internal audits of grantees, upgraded reporting and monitoring of sub-grantees, consistent USOC site visits and weekly USOC-VA grant monitoring calls
- Two staff members implementing this program are individuals with physical disabilities, one being a Veteran

Humbly, we work for an organization that has one of the most inspiring brands in the world. A brand that motivates people and organizations to get involved and to collaborate. I can't emphasize the collaboration point enough, because collaboration also leads to significant cost efficiencies and impact!

Today, more than 350 USOC partner organizations in 46 states and the District of Columbia are investing millions in private resources, staff and facilities to cost effectively implement these programs.

One specific new example of USOC – VA innovation, impact, cost-efficiency, collaboration and enhanced awareness was the development of the regional and local Valor Games series in Chicago. Through partnership with a USOC leadership organization – World Sport Chicago – the USOC and VA identified a partner that could plan, implement, provide a majority of the funding and promote the importance and impact at a regional event for physically disabled Veterans with the primary objective and outcome being the connecting of these Veterans to everyday physical activity programs in the region. This was done with limited VA- USOC financial investment and only one USOC, and one VA staff member involved.

In closing, the need in this Country is great. More physically disabled members of our Armed Forces are returning to America's communities, urban and rural, as heroic Veterans. Many of them are simply trying to reintegrate with their friends and families. Some want to compete.

The power of sport is one tool in the rehabilitative process that allows for our Nation's heroes to take a small step to normalcy. Research has proven that!

I would like to thank the Committee, the VA leadership, particularly Secretary Eric Shinseki; Assistant Secretary Tommy Sowers, Mike Galloucis, Executive Director of the Department of Veterans Affairs Office of Public and Intergovernmental Affairs; I would like to especially commend Marine Veteran and VA leader Chris Nowak, a physically disabled Veteran who is driving change in collaboration with the VA and USOC with a primary focus on impacting Veterans in a cost effective manner. Mr. Nowak is a Marine Veteran making a difference!

Congressman Coffman, a Marine from Colorado, and Ranking Member Takano, thank you and other members of the Committee for introducing H.R. 1402.

I can simply say, you have led a collaborative and cost effective effort. You too are making a difference! A difference in the lives of those that have given our Nation so much!

I am available to take any of your questions.

### **Executive Summary**

The Paralympic Movement began shortly after World War II utilizing sports as a form of rehabilitation for injured military personnel returning from combat. The USOC, which itself was created by Congress, is one of only four National Olympic Committees that manage both Olympic and Paralympic sport. As one of only a handful of National Olympic Committees that are 100% privately funded, there is evidence that our major competitors outspending us often as much as 5-to-1. Because of the extraordinary need to provide Paralympic sports activities to our nation's disabled military service members and veterans, since 2008 the USOC has accepted federal funding for these programs, while continuing to expend considerable private resources in support of these efforts.

In 2008 Congress passed the Veterans Benefits Improvement Act, which authorized the Department of Veterans Affairs to award grants to the United States Paralympics to "plan, develop, manage, and implement an integrated adaptive sports program for disabled veterans and disabled members of the Armed Forces." The program did not commence until Fiscal Year 2010 and the authorization expires at the end of Fiscal Year 2013.

H.R. 1402 will extend the authorization for the highly successful partnership between the USOC and the Department of Veteran Affairs to provide Paralympic sports activities for disabled veterans in their communities. Paralympic programs are sports for physically disabled athletes. These adaptive sport activities have become an integral part of their recovery to a full and healthy life after completing their service to our country. The U.S. Olympic Committee is supportive of H.R. 1402 and believes that it is imperative that Congress act to extend the authorization for

this program to ensure there is no interruption in the services being provided to our disabled veterans.

When discussing the Paralympic Movement, it is not just about a small number of elite athletes that will make future Paralympic teams. Rather, it is a reference to the thousands of disabled active duty military personnel and veterans that have participated in the growing number of physical activity programs created throughout the United States under the leadership of the VA, USOC and our innovative and tireless community partners that allow Veterans with physical disabilities an opportunity to re-engage in the daily activities of life.

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### **Prepared Statement of Dr. Susan Aldridge**

Chairman Flores, Ranking Member Takano, and distinguished members of the Subcommittee, my name is Susan Aldridge. I am currently a Senior Fellow at the American Association of State Colleges and Universities, commonly known as "AASCU", and on whose behalf I appear before you this morning. Prior to AASCU, I served as president at the University of Maryland University College and as Vice Chancellor at Troy University in Alabama. UMUC and Troy are two state universities each serving a large population of servicemembers and veterans.

AASCU represents 420 institutions and university systems across 49 states, the District of Columbia, Puerto Rico, Guam and the Virgin Islands. These institutions represent the diversity of higher education institutions from small liberal arts institutions to large research institutions and from open enrollment institutions to selective institutions. The common foundation of AASCU institutions is their focus on students. In addition, AASCU is the contracting agent for the Servicemembers Opportunity Colleges designed to expand and improve voluntary postsecondary education opportunities for servicemembers worldwide.

Thank you for holding this hearing and providing me with the opportunity to present testimony regarding H.R. 357, The G.I. Bill Tuition Fairness Act, introduced by the Honorable Jeff Miller of Florida. I ask that my written testimony be entered into the record.

H.R. 357 would require the Secretary of Veterans Affairs to deny GI Bill benefits to veterans who are not charged tuition rates equal to or less than the in-state tuition rate. Moreover, this bill would not allow any veteran or their dependent enrolled at a public institution to receive GI Bill benefits if that institution does not offer in-state tuition to all veterans, thus cutting benefits to our veterans. AASCU supports the underlying premise of treating veterans as in-state residents and strongly supports the educational endeavors of our veterans; however, passage of H.R. 357 will potentially result in unintended consequences that I will address in more detail.

Most public colleges do not set their individual tuition or control the policies associated with tuition. Currently, ten states allow individual public institutions to set their own tuition policy. Postsecondary tuition policy in the remaining forty states are set by state legislatures, a statewide coordinating board or other state entities with authority to set tuition for institutions. In addition, many states establish clear criteria for who is eligible to receive in-state tuition benefits. Currently, only nine states offer in-state tuition to qualified veterans immediately upon locating within the state. Thus, state legislatures will ultimately be required to change the residency treatment of veterans. This is a potentially difficult obstacle in many states.

This is further highlighted by a State Higher Education Executive Officers February 2011 report entitled "State Tuition, Fees, and Financial Assistance Policies for Public Colleges and Universities 2010-2011." Page seven of this report cites that "States were asked to describe the process through which tuition levels are set. The variety of answers given underscores that there are as many processes for setting tuition as there are states. In many states, the process is a multi-step process involving many entities."

Given the complexity of relying on forty state entities to change policies, it is quite likely that institutions will not have the ability to charge in-state rates even if they so desired. Veterans seeking to enroll in public institutions in those states would need to find other, more-than-likely, costlier programs in order to utilize their GI Bill benefit. Veterans would be forced to either move to a state that offered in-state tuition, go to a more expensive private institution, or attend a for-profit college.

This creates a scenario of confusion since many veterans arrive on campus with the full expectation of receiving their GI Bill benefit. Institutions would be forced to inform veterans that they would not be eligible to bring their benefit to the public institutions in states where in-state tuition hasn't been approved. Further, no new

additional veterans whether designated in-state or out-of-state could use their GI Bill benefits in the state without legislative change. Thus, AASCU envisions further confusion which could potentially discourage the veteran from pursuing post-secondary education altogether and creating a negative atmosphere toward a veteran-friendly institution.

Non-residency occurs in many situations due to the conclusion of a servicemember's end of duty in a specific location. These veterans decide to remain in that local community due to a variety of reasons – children established in local schools, spousal employment, the individual or family members have integrated into the community, etc. If they are located in a state that is unable or has yet to alter residency treatment for veterans, significant disruption to the family unit could occur. A veteran would explore options at a campus, not be able to use their GI Bill benefits and be forced to move to a state that offers in-state tuition in order to receive their benefits. Passage of this measure would create a hodge-podge map of eligible and ineligible states.

Further, has the Committee considered the treatment of a veteran who is forced to move to another state as a result of family obligations? If a veteran is attending classes at an institution within a state that has in-state treatment for veterans, but moves to one that does not, the veteran will no longer be eligible to use their GI Bill benefits in order to complete their coursework.

It is also instructive for the Committee to understand the nature of in-state versus out-of-state rates. One way of looking at an established out-of-state rate is to consider it as the full cost to the institution of educating a student. Since public institutions receive support from the state in order to provide residents with an education, the in-state rate reflects the cost to the institution after factoring in the state subsidy. Thus, an in-state rate is supported by state taxpayers. Passage of this bill would shift paying for the promise established under the GI Bill of supporting the education of a veteran from the federal government to the states specifically and only for veterans attending public institutions.

The following is a list of suggested improvements to the measure that preserve the bill's underlying goals while not adversely impacting our nation's veterans.

1. Delay implementation of the bill beyond 2014. State entities will need time to alter policies. As noted tuition setting policy is complex and 2014 is too soon even for states that are ready and willing to do this today. This would also allow time to educate our current and future veterans on these changes.

2. Treat out-of-state veterans in the same manner as veterans attending private institutions, rather than establishing a special class of citizens of veterans attending public institutions. This principle is in line with the tenants of the original Post 9/11 GI Bill.

3. Require states to develop a clearly articulated, straightforward policy informing veterans on how to qualify for in-state tuition. This would preserve state rights and establish a transparent process for veterans.

4. Develop an incentive-based system that would reward those states already providing in-state tuition to veterans. This would reward states that are doing what they should be doing and encourage other states to update their policies. Incentives could include additional funds for veterans' support services and benefits.

Finally, this bill is government overreach. Various state entities have traditionally had the right to establish tuition policy. This authority is a clear state right. This bill opens the door for federal intervention and dictates tuition policies for public institutions around the country. While it is appropriate for the federal government to be a partner in higher education, it should not be an overreaching manager.

In closing, AASCU institutions are serving our nation's veterans well. Institution after institution has established programs to provide quality service for our nation's military students from providing assistance and counseling for veterans transitioning from combat to college, separate orientation courses, and peer-to-peer support networks to name a few. In addition, some public colleges offer niche programs that build off of a veteran's military training. These programs are not offered by every institution or in every state, but are highly-selective and desirable programs. Passage of this bill would limit the exposure of quality support programs and the ability to pursue an education in a desirable field from an otherwise affordable public institution of higher education.

As a grateful Nation, we are committed to providing our veterans with the maximum benefits they rightly deserve. Let's make sure we also are providing the flexibility our veterans need to use them. Thank you for the opportunity to speak today.

## AASCU Federal Grants

Agreement #	Department/Agency	Grant/Contract	Description	Performance period	Funded Amount
10LHADC001	Corp Nat'l Service	Grant	Civic Minor in Urban Ed.	9/2010 - 8/2013	433,874.
N00189-08-C-Z001 (Option Yr Exercise)	DOD/Navy	Contract	Service members Opportunity Colleges.	09/2010 - 10/2011.	5,897,227.
N00189-08-C-Z001 (Option Yr Exercise)	DOD/Navy	Contract	Service members Opportunity Colleges.	10/2011 - 10/2012.	5,743,773.
N00189-12-C-Z112	DOD/Navy	Contract	Service members Opportunity Colleges.	10/2012 - 10/2013.	4,899,982.

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**Prepared Statement of Col. G. Michael Denning, (USMC) Ret.**

Chairman Flores, Ranking Member Takano, and distinguished members of the Subcommittee:

Thank you for holding this hearing and for the opportunity to testify before you on H.R. 357, the "GI Bill Tuition Fairness Act of 2013." My name is Mike Denning, and I currently have the privilege to serve as Director of the Office of Graduate Military Programs at the University of Kansas (KU). Prior to joining KU, I spent 27 years in the Marine Corps, and retired as a Colonel. I am here today representing both KU and the Association of Public and Land-grant Universities (APLU).

The University of Kansas is justifiably proud of our history in serving the U.S. Armed Forces and veterans. The population of students using veteran benefits at KU has increased nearly 40 percent since 2010, and our admission statistics for students using veterans benefits for the Fall 2013 semester reflect a continued increase. We attract veterans and their families for several reasons, not the least of which is our academic reputation. Some look to KU because of programs like KU Veterans Upward Bound, an education and skills bridge program designed to help first-generation military veterans prepare to enroll in a postsecondary school. Some, like Anthony Schiedeler, come to KU through our Wounded Warrior Scholarships, which provide not only for those with physical injuries, but for those who suffer from the invisible wounds of war. These veterans come because of the great educational value of KU, and they stay and graduate because of the supportive atmosphere they experience on campus. We recognize that because of their Service commitments, most veterans are "non-traditional" students and most have been away from a formal academic setting for several years. We understand the complexities and challenges of transitioning and provide veterans with a host of programs, like the Veterans Learning Community, which is designed to facilitate the transition from military service to college. Veterans and their families at KU acquire a "special trust and confidence" in their university and they find additional support through student organizations, like the KU Collegiate Veterans Association (CVA), which is a non-partisan group of military veterans dedicated to supporting veteran/military students, current service members, and their families. And as these veteran students approach graduation, they find meaningful job contacts through University Career Center, which maintains a specific veterans outreach effort and the KU Veterans Alumni Chapter, which has 15 general officers on its advisory board. It is programs like these that resulted in KU being recognized nationally as the ninth overall "Best for Vets" university and 14th among the "Best for Vets" Business Schools by Military Times.



APLU's membership includes 217 members, consisting of state universities, land-grant universities, state-university systems and related organizations. APLU institutions enroll more than 3.5 million undergraduate students and 1.1 million graduate students, employ more than 645,000 faculty members, and conduct nearly two-thirds of all academic research, totaling more than \$34 billion annually. KU is a proud member of APLU.

KU, and I personally as a veteran, deeply appreciate the interest in and support of student veterans that the Subcommittee has demonstrated. I assure you that this nation's public universities, including KU, want to ensure our veterans are treated fairly. Public universities around the country are redoubling their efforts to address the needs of veterans and service members. I can also say that public universities were one of the most engaged groups with respect to successfully restoring the Tuition Assistance (TA) program during the Senate floor debate on the FY2013 omnibus/continuing resolution. As you recall, the programs were slated for elimination by a number of the branches as a result of the sequester.

While we are appreciative of the Subcommittee's support for student veterans, we are seriously concerned about H.R. 357 as drafted. As such, we cannot support it in its current form. We hope that there will be opportunities to further discuss the bill and make changes as the legislative process moves forward.

I want to reiterate that our public universities, including KU, strive to ensure that our nation's veterans have access to quality education and that they are treated fairly. With that as the overarching framework for my comments, I would like to highlight some of our philosophical concerns as well as potential practical and operational pitfalls in the bill. Ultimately, if implemented in its current form, we are concerned that the legislation could unintentionally have negative consequences for veterans and their families and on their education experiences.

#### **Philosophical Concerns**

An underlying concern with the legislation is that it costs more to educate a student, regardless of where the student is from, than the amount of in-state tuition. The gap between costs and in-state tuition is a critical reason that states for generations have provided substantial state taxpayer resources to their state institutions. State taxpayers generally subsidize students from their own state because families and students from that state pay taxes there, and often, those families have done so for decades. Note that the subsidy of in-state students is one of the most compelling arguments of universities when they ask for state support. The additional tuition charged for out-of-state students is generally to cover educational costs not subsidized by the state. If this additional out-of-state tuition is not paid, the money would need to come from somewhere. As written, at the risk of a state making all veterans and beneficiaries attending its public institutions ineligible for the G.I. Bill, the legislation is attempting to force the reallocation of state taxpayer resources.

We are troubled that the bill would, in effect, impose a federal definition of a "resident" on all states. Individual states have long determined who qualifies as a resident of their state and who therefore receives state benefits.

State governments are the best equipped for setting and determining their own policies with respect to state residency and allocating their taxpayer dollars. The State of Kansas is responsible for setting the rules on who is considered a Kansas resident based on its needs. Residency requirements for veterans are relaxed at the University of Kansas. Whereas non-veteran students must reside in the state at the time of enrollment, service members or veterans have three scenarios where residency requirements are relaxed: (a) the service member must have been stationed in Kansas at some point and returned to Kansas within the last months after military discharge or retirement; (b) the service member is currently on active duty stationed in Kansas or formerly have been on active duty stationed in Kansas; or (c) the service member is a member of the Kansas Army/Air National Guard and residing in Kansas.

Many states have equally, if not more generous policies in place regarding residency rules for veterans e.g. Texas.

Please keep in mind that these decisions were made by the states themselves, after assessing their own state needs, and goals. We believe the federal imposition of residency rules on states violates, at a minimum, the spirit of the historical relationship between the federal government and the states and would be a very bad precedent.

Through the various state policies, state governments are deciding to spend their state tax dollars in the most appropriate manner, according to their needs. Ultimately, the legislation in its current form proposes to impose federal mandates on

how state taxpayer funds are used and allocated and how states choose to direct their own resources.

In addition, the legislation as currently drafted would impose a new unfunded mandate on both states and public higher education institutions, which would be a very unfortunate precedent. In essence, the bill would force states and/or public institutions to find additional resources to fully support the educational experiences of non-resident veterans, costs that are not budgeted for by the state or the institution. The implications of that mandate will be discussed in greater detail below.

### **Practical and Operational Concerns**

Our concerns about the bill are not just philosophical. We believe that there are significant practical and operational challenges as well. Ultimately, we are concerned that veterans could be unintentionally harmed by the legislation.

As previously noted, there already are states and institutions that charge all veterans the in-state rate. However, most public institutions do not set state residency rules and policies; those decisions are generally made by the states themselves, including Kansas. Therefore, should those states not currently offering in-state benefits to all veterans fail to make changes to their statutes and policies by the deadline imposed in the bill, public institutions in those same states would lose their eligibility to participate in the GI Bill. This would mean that all veterans and other beneficiaries would no longer be able to use these benefits at any of the public institutions in that state. Even veterans who are recognized by a state as residents would lose their benefits at those institutions. If veterans and other beneficiaries at these public institutions wish to continue their education at the same institution, they would be forced to rely on other sources for financial support. This would greatly hurt veterans.

States that do decide to provide in-state tuition rates to veterans from across the country would face significant challenges. Depending on the size of the population using the GI Bill, an influx of students not budgeted for by the states would have a real impact on all students. Universities and colleges may be forced to cut services and programs to cover the lack of additional resources. This would impact all students, including veterans on our campuses.

Furthermore, as a last resort, some states, and by extension public institutions in those states, may be forced to increase tuition – again, affecting all students—just to maintain the current offerings and level of quality. Despite a decrease in state appropriations, public universities have worked to hold down costs and tuition increases. Depending on the size of the population using the GI Bill benefits, the State of Kansas, and by extension public institutions in Kansas, could be forced to absorb unbudgeted costs. This could lead to increases in tuition for all students, including veterans. This is a very likely unintended consequence of the proposed legislation.

We must highlight the fact that, as a result of the changes to the Post-9/11 GI Bill, there is a program for qualified veterans designed to achieve the same ends of H.R. 357, without the “unintended consequences” – the Yellow Ribbon Program. Our understanding of the “Yellow Ribbon” Program is that it is intended as a partnership between participating institutions – both public and private – and the federal government that would make higher education more affordable for veterans. The program allows institutions of higher education to voluntarily enter into an agreement with the Department of Veterans Affairs (VA) to fund tuition expenses that exceed the in-state tuition and fee rates. Under the Yellow Ribbon Program, institutions can contribute up to 50 percent of those expenses and the VA will match the same amount as the institution. KU participates in the Yellow Ribbon Program so that veterans, residents or non-residents, have their tuition and fees covered if they are recipients of the Post-9/11 GI Bill. H.R. 357 as drafted removes the financial responsibility from the VA and shoulders it squarely on individual states.

Moreover, H.R. 357 as drafted could even create unintended consequences for the Yellow Ribbon Program. Under the Yellow Ribbon Program, qualifying veterans attending private institutions, both non-profit and for-profit, are currently eligible to receive up to approximately \$18,000 this year to pursue their education. States that do not currently treat all veterans as in-state residents for the purposes of tuition, or do not grant that authority to make such decisions to their state institutions, would find their institutions as ineligible to accept students who are using veteran benefits. At best, they would qualify for the in-state tuition rate. With the federal mandate being proposed in this legislation, veterans pursuing their education at public institutions of higher education would become eligible for even less support from the federal government. Equity is a real concern. Additionally, by requiring public institutions to charge in-state rates for veterans from anywhere in the country in order to remain eligible for the different variations of the GI Bill – a decision

that most public institutions do not have the authority to make – the Yellow Ribbon could become a program geared primarily toward private higher education. Such a move creates another disadvantage for veterans at public institutions.

I must also point out that the deadline of 2014 for states to make changes may not be workable even in states that are interested in making those changes. In a number of states, the state legislature meets only every two years. In some states, the residency issue may become a state constitutional matter, and thus require more time. Other states, for a host of legitimate reasons, may refuse to make changes. The potential practical consequences of the failure to meet the deadline for whatever the reason have been described above.

Having expressed concerns about the deadline, I want to be very clear that delaying the deadline does not deal with our fundamental concerns about this legislation.

#### **Possible changes for consideration**

With the inclusion of the federal mandate on state residency requirements in the legislation, KU and APLU cannot endorse H.R. 357 as written. At the same time, we would like to work with you during the legislative process to bring about positive changes that would assist veterans as they pursue a postsecondary education.

- Promote equity between veterans attending public and private institutions

To ensure equity between veterans attending public institutions and private ones, we request that you consider changing the language to allow veterans attending public institutions to also be eligible for the same level of benefits that are available to those attending private institutions

- Create financial incentives for states to adopt similar policies.

Instead of imposing an unworkable federal mandate on states and state institutions, we suggest that you consider creating a financial incentive for states to adopt policies similar to those called for in the legislation. Such financial incentives should address the cost gap of out-of-state students described above.

#### **Conclusion**

In conclusion, the University of Kansas and APLU believe that veterans should have vast federal support to access and complete a high quality postsecondary education experience and should be treated fairly during their educational careers. We appreciate this Subcommittee's support and interest in student veterans. Unfortunately, for the philosophical and operational concerns highlighted above, we cannot support the legislation as drafted. However, we look forward to working with you to strengthen the legislation.

Thank you again for the opportunity to testify today. I'd now be happy to answer any of your questions.

#### **Executive Summary**

Thank you for holding this hearing and for the opportunity to testify before you on H.R. 357, the "GI Bill Tuition Fairness Act of 2013." My name is Mike Denning, Colonel (Retired), United States Marine Corps and I currently serve as Director of Office of Graduate Military Programs at the University of Kansas (KU). Prior to joining KU, I spent 27 years in the Marine Corps, and retired as a Colonel. I am here today representing both KU and the Association of Public and Land-grant Universities (APLU).

KU and the public university community overall appreciate the spirit of H.R. 357 and I certainly do as veteran. This nation's public universities like KU want to ensure that our nation's veterans are treated fairly and with the respect they deserve. Public universities around the country are redoubling their efforts to address the needs of veterans and service members to whom we all owe an enormous amount of gratitude. I can also say that public universities were one of the most engaged groups with respect to successfully restoring the Tuition Assistance (TA) program during the Senate floor debate on the FY2013 omnibus/continuing resolution.

While we are supportive of the overall intent and spirit of H.R. 357 to provide greater and more affordable access to higher education for veterans, we have an array of concerns about the bill and believe that it may have the unintended consequence of limiting or denying veterans access to higher education institutions.

Specifically, the bill requires all public universities to offer in-state tuition to all veterans regardless of where they live. We are troubled that, in this case, the federal government would, in effect, impose a federal definition of a "resident" for a given state. Additionally, this legislation imposes a new unfunded mandate that would force states and/or public institutions to find additional resources to fully support the educational experiences of non-resident veterans. States, not higher edu-

cation institutions, set residency requirement rules, and state governments determine how to best use their state tax revenues.

Since states are already facing budget crunches, many of them might simply be unable to afford to change their residency requirements to allow all veterans from across the country to receive in-state tuition. As currently written, H.R. 357 imposes the penalty of cutting off GI benefits to those states and schools that don't comply with the in-state residency requirement. We're greatly concerned that many states would be unable to meet the unfunded in-state tuition mandate, which potentially would lead to veterans losing the benefit of the GI bill.

For states that do adjust their residency requirements to provide lower in-state rates for all veterans, universities will be forced to make up the loss of out-of-state tuition, which could have a real impact on all students as campuses may be forced to cut services and programs to cover the lack of additional resources or even raise tuition rates across the board. This would impact all students, including veterans on our campus.

Despite the aforementioned problems with the current form of the bill, we share your commitment to improving access for veterans to quality, affordable higher education. We hope to work with you to improve the effectiveness of the bill. In particular, we suggest that the state mandate and penalty be removed and replaced with incentives and supplementary federal funds for states and institutions that broaden the scope of their in-state tuition rates for veterans.

#### **Financial Disclosures**

VA funds to Association of Public and Land-grant Universities (APLU):

- APLU has not received any funds from the VA in the last two fiscal years.

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#### **Prepared Statement of Lt. Gen Joseph F. Weber, (USMC) Ret.**

Chairman Flores and distinguished members of the Subcommittee on Economic Opportunity of the House Committee on Veterans' Affairs, my name is Joe Weber and I have the privilege of serving as Vice President of Student Affairs at Texas A&M University. In addition, I am a retired LtGen with 36 years of service in the US Marine Corps.

I want to begin by thanking you for the chance to come before you today to present testimony on important issues relating to supporting veteran's success in pursuing higher education. At Texas A&M, and indeed in the state of Texas, we deeply value the sacrifice and service of veterans and their families. We appreciate this committee's desire to reflect the fact that these men and women have served all states in the nation by providing them with in-state tuition benefits regardless of residency.

Texas A&M agrees that it is critically important to provide access to higher education for our veterans. With thousands of commissioned officers and seven Congressional Medal of Honor recipients, no university in the nation outside of the service academies has contributed more to military service than Texas A&M. Texas A&M is undeniably veteran friendly; hence the large number of active duty personnel, and veterans on campus. Currently, the veteran enrollment at Texas A&M is approximately 600 students.

We offer numerous programs and resources that benefit veterans. There are two offices designed specifically to support veterans—Scholarships and Financial Aid Veteran Service Office (VSO) and the Veteran Resource and Support Center (VRSC). These offices strive to "serve well, those who have served" through a unique and powerful partnership to ensure veteran and military dependent success from "application to vocation."

The VSO offers streamlined processing of all federal and state educational benefits, deferred tuition pending Veterans Administration (VA) funds, veteran new student orientation, faculty and staff mentor training and cross campus referrals that reach campus wide. The VSO also identifies and awards scholarships for veterans. We are a partner school with the Pat Tillman Foundation and currently have recipients on campus that benefit from that scholarship. Recent procedural improvements in the VSO have significantly improved military educational benefit processing to ensure the best possible financial support for both veterans and military dependents.

The VRSC was established in September 2012 to provide additional student support and programming for veterans. The office has developed and implemented a variety of new programs that enhance veteran recognition, improve health service ac-

cess, increase academic support opportunities and connect students with local community veteran organizations and resources. The VRSC was designed to ensure that Texas A&M can continue to provide the highest quality of support as our student veteran population increases.

The VRSC facilitates a cross functional university committee called the Troops to College Committee which identifies and addresses areas for improvement in veteran success. Two subcommittees have been created to improve data collection for Veterans and to oversee assessment of veteran needs and programs. The Troops to College Committee is comprised of key leaders from offices across campus including admissions, disability services, career center, counseling center, academic offices, Office of the Registrar, Student Veteran Association, Student Government, ROTC departments, Office of the Commandant, Student Business Services and others as needed to better support our student veterans.

The VRSC launched the Aggie Veteran Network (AVN). It is designed to connect Aggie student vets, dependents, military families, and veteran faculty/staff with each other and with external organizations. The mission of the AVN is twofold: First, to connect those who are providing, or are willing to provide, resources and support to our students. Second, to link our military affiliated students with high-impact opportunities to support each other and the local community. The AVN will link with the new Association of Former Student Aggie Veteran & Military Constituent Network next year.

Each veteran student who graduates from Texas A&M wears a red, white and blue Veteran Graduation cord at their commencement ceremony, as a visible sign of our respect and honor for them.

The Texas A&M University System hosts a Military Symposium annually. System schools, other Texas schools and community organizations attend every year. There are informative veteran related sessions, "best practices" discussions and networking opportunities at the event. Veteran students are invited to share their experiences in college and transition challenges to provide attendees with a better sense of how to prioritize their efforts to improve programs and support. The system wide document on best practices for military and veteran support and services is also attached for you information.

Texas A&M is home to the Entrepreneurship Bootcamp for Veterans with Disabilities (EBV), which is a collaboration between the Center for New Ventures and Entrepreneurship, and the Center for Executive Development and Mays Business School. The EBV initiative offers cutting edge, experiential training in entrepreneurship and small business management to soldiers, sailors, airmen and marines disabled as a result of their service supporting operations Enduring Freedom and Iraqi Freedom.

Texas A&M University is a member of the Servicemembers Opportunity Colleges (SOC) Consortium of approximately 1,900 college and universities. SOC Consortium members subscribe to principles and criteria to ensure that quality academic programs are available to service members, including members of the National Guard and Coast Guard, their family members, reservists, and veterans of all Services. As a SOC Consortium member, we ensure that military students share in appropriately accredited postsecondary educational opportunities available to other citizens. Flexibility of programs and procedures, particularly in admissions, counseling, credit transfer, course articulations, recognition of non-traditional learning experiences, scheduling, course format, and residency requirements are provided to enhance access of service members and their family members to higher education programs.

Indeed, Texas A&M was ranked #11 Best for Vets in Military Edge magazine in 2011. In 2012 Texas A&M was an honoree in Top Military Friendly Colleges and Universities by Military Advanced Education.

Clearly these examples demonstrate that Texas A&M greatly values our veteran student population. In addition, Texas A&M sees the veteran student population as bringing this value back to the state of Texas. States offering higher education benefits to veterans benefit greatly from veterans' presence in the state both during and after their enrollment in college. Veterans contribute to the state economy and local community through a variety of means. Indeed, high-quality public colleges and universities improve states and communities by attracting veterans, scholars, students and researchers who lay down roots, pay taxes, buy property, and contribute to the community in countless immeasurable ways. The opportunity to draw more veterans to a state often provides a strong rationale for adopting policies to extend in-state tuition eligibility to veterans.

As a case in point, student veteran expansion has dramatically increased in Texas, bringing an estimated \$1 billion in educational benefit revenues to the state in FY 2012 alone. Nationally the total GI Bill expenditure approaches \$26 billion since 2009. Texas has demonstrably embraced our veteran population and I believe

that a discussion of the Texas state benefits for veterans can help inform the policy this committee desires to enact.

The most prominent program which benefits the veterans of Texas is the Hazlewood Act. This program provides qualified veterans, spouses and dependent children with an education benefit of up to 150 hours of tuition exemption, including most fees at public institutions of higher education in Texas. It does not include living expenses, books or supply fees. The Hazlewood Act is also extended to spouses and dependent children of eligible active duty, Texas National Guard, and Air National Guard Veterans who died in the line of duty or as a result of injury or illness directly related to military service, are missing in action, or who become totally disabled for purposes of employability as a result of service-related injury or illness.

The use of the Hazlewood provision has exploded in the past several years. In 2007, the program at Texas A&M included 148 veteran students, totaling \$679K tuition and fees benefit. In fiscal year 2012, the number rose to 285 veteran students, totaling \$1.6M. With the expansion of Hazlewood benefits to dependents, the total benefit to veterans and their families at Texas A&M stands at \$9.4M. Statewide public universities provided this benefit to 4,549 veteran students in 2007, totaling \$14.6M. In 2012, that number grew to 8,444 veteran students, totaling \$37.3M in tuition and fees benefit.

Texas A&M wholeheartedly supports these exemptions and the students who use them. However, I would be remiss if I did not mention the growing financial consequences of this program to our University, especially with the expansion in 2009 to allow dependents to receive the Hazlewood Act benefits. In short, the exemption results in foregone revenue to the institution in what is typically considered an unfunded mandate, since there is currently no state reimbursement or other payment. Given that the growth in this program comes at a time when funding for state universities across the nation is being cut, sometimes drastically (Texas A&M was cut by 14% in state general revenue funding for FY12 and FY13), it is difficult for universities to maintain services and programs without this revenue. The Texas Legislature is currently considering ways to address this issue to ensure that Texas universities can continue to offer these benefits.

Also relevant to H.R. 357 are two programs through which Texas A&M currently provides resources specifically for non-resident veterans; the Military Personnel Waiver and the Yellow Ribbon GI Education Enhancement Program (Yellow Ribbon Program).

The Military Personnel Waiver is provided through Texas Education Code section 54.058. Current members of the Armed Forces, veterans, and their spouses and children who meet certain eligibility requirements may receive the waiver. Veterans must intend to establish residency in Texas to receive this waiver.

The Yellow Ribbon Program is a provision of the Post-9/11 GI Bill. This program allows institutions of higher learning to voluntarily enter into an agreement with VA to fund tuition expenses that exceed the in-state tuition and fee rates. The institution can contribute up to 50% of those expenses and VA will match the same amount as the institution. Texas A&M University participates in the Yellow Ribbon Program because we want to ensure all veterans, even those who are non-residents, can have their tuition and fees covered if they have the Post-9/11 GI Bill.

To quantify, Texas A&M has 56 non-resident veterans for the spring 2013 semester, which represents less than 10% of our total veteran student population. Twenty of these students are eligible for the Military Personnel Waiver, 16 for a competitive scholarship waiver, and 2 for the Yellow Ribbon Program. Thus, 20 students for spring 2013 are paying out-of-state tuition. We are fully aware that the numbers of non-resident veterans vary across the state and nation, and that other states and possibly other schools in Texas may not be in a similar situation. We also note that there is a greater impact on institutions with extensive distance education programs.

In summary, Texas has numerous policies in place that generously benefit veterans, which Texas A&M has embraced. The spirit of H.R. 357 runs parallel to the spirit of support Texas A&M has provided its students who are veterans. We have examined the bill in detail and offer some suggestions for your consideration, which we believe will improve the ability for universities to provide this benefit to the veteran.

First, residency for tuition purposes at public universities is usually under the purview of state legislatures; this is certainly true in Texas. The proposed implementation date of the bill provides insufficient time for states to address this issue if they choose to do so given the timing of state legislative cycles. As a result, public institutions will not be able to comply and all veterans (and their dependents) will lose the ability to utilize their benefits, not just those classified as a non-resident. At Texas A&M, 100% of the veterans would be negatively impacted when only 3.3%

are currently not receiving in-state tuition rates. A potential solution is to simply delay implementation another year or two to enable states to comply through established legislative procedures.

Another option would be to change the language from “... unless the institution charges tuition and fees for a veteran at the same rate as the institution charges for residents of the State ...” in section 2, subsection (c) to “unless the institution’s net charges to a veteran, after federal veteran benefits, waivers, scholarships, and grants are applied, is at the same rate as the institution charges for residents of the State ...”. This would allow institutions flexibility in how to meet this requirement through other means. By making this change, an institution, even in a state that does not grant residency for tuition purposes, could provide other financial assistance to the student to accomplish the same effect. While this may cost institutions some funding, it would preserve the ability to receive funding from the VA to cover the tuition charges to provide better overall veteran educational benefit support.

It should be noted that private institutions are not impacted by this bill. In essence, it only requires public universities to provide a lower tuition rate for veterans and results in additional forgone revenue. Public institutions want to do their part to serve the veteran. Providing a mechanism to allow funding currently being received by public institutions through the VA to continue will lessen the impact of another unfunded mandate that either shifts the costs of higher education onto other students, or drives up the overall cost for everyone in order to recover lost revenue.

The overarching concern is to ensure that the veteran receives the maximum benefit while not placing institutions in a position of shifting costs throughout the university that would hinder the educational mission including current or expanded veteran services.

Thank you again for providing this opportunity for me and Texas A&M to discuss this important legislation and for your leadership in support of our veterans.

#### **Executive Summary**

Chairman Flores and distinguished members of the Subcommittee on Economic Opportunity of the House Committee on Veterans’ Affairs, my name is Joe Weber and I have the privilege of serving as Vice President of Student Affairs at Texas A&M University. In addition, I am a retired LtGen with 36 years of service in the US Marine Corps.

Thank you for the chance to present testimony on important issues relating to supporting veteran’s success in pursuing higher education. At Texas A&M, and indeed in the state of Texas, we deeply value the sacrifice and service of veterans and their families. No university in the nation outside of the service academies has contributed more to military service than Texas A&M. Currently, the veteran enrollment at Texas A&M is approximately 600 students and we offer numerous programs and resources that strive to “serve well, those who have served.”

Texas also has demonstrably embraced our veterans, providing several benefits programs. The most prominent of these programs is the Hazlewood Act, which provides qualified veterans, spouses and dependent children with an education benefit of up to 150 hours of tuition exemption, including most fees at public institutions of higher education in Texas. The growth in this program has exploded in the past several years at Texas A&M and across the state. Texas A&M also makes use of state and federal programs to address out-of-state residency.

The spirit of H.R. 357 runs parallel to the spirit of support Texas A&M has provided its students who are veterans. We have examined the draft bill in detail and offer some suggestions for your consideration.

One possible change is to consider delaying the implementation date, because residency (for tuition purposes) at public universities is usually under the purview of state legislatures. The proposed implementation date of the bill provides insufficient time for some states to address this issue, given the timing of state legislative cycles. As a result, public institutions will not be able to comply and all veterans (and their dependents) will lose the ability to utilize their benefits, not just those classified as a non-resident. Another option would be a small language change in the bill to allow institutions some flexibility in how to meet this requirement through other means.

The overarching concern is to ensure that the veteran receives the maximum benefit while not placing institutions in a position of shifting costs throughout the university that would hinder the educational mission including current or expanded veteran services.

**Prepared Statement of Alexander Nicholson**

Bill #	Bill Name	Sponsor	Position
H.R 357	The GI Bill Tuition Fairness Act of 2013	Miller	Support
H.R 562	The VRAP Extension Act of 2013	Miller	Support
H.R 631	Servicemembers' Choice in Transition Act of 2013	Flores	Support
H.R 844	VetSuccess Enhancement Act of 2013	Takano	Support
H.R 1305	To Provide Clarification Regarding Eligibility for Services ...	Wenstrup	Support
H.R 1316	Directors of Veterans' Employment & Training Accountability Act	Flores	Support
H.R 1402	The Veterans Paralympic Act of 2013	Coffman	Support
Draft 1	The Improving Job Opportunities for Veterans Act of 2013	Coffman	Support
Draft 2	To Extend Authority to Provide Work-Study Allowance ...	Miller	Support

Chairman Flores, Ranking Member Takano, & Distinguished Members of the Subcommittee:

On behalf of Iraq and Afghanistan Veterans of America, or IAVA, I would like to thank you for convening a hearing on these bills, and for your continued dedication to improving the lives of and opportunities available to America's veterans. We also appreciate this invitation to share our organization's members' views on these particular bills before us here today.

IAVA is the nation's first and largest nonprofit, nonpartisan organization for veterans of the wars in Iraq and Afghanistan and their supporters. Founded in 2004, our mission is critically important but simple – to improve the lives of Iraq and Afghanistan veterans and their families. With a steadily growing base of over 200,000 members and supporters, we strive to help create a society that honors and supports veterans of all generations.

While our country's economic position and the employment status of all Americans remains a grave concern for everyone, it should distress each and every one of us that America's newest veterans – those who have shouldered the burden of fighting our recent wars – are being hit the hardest. In its most recent release on the employment status of veterans, the Bureau of Labor Statistics revealed that one out of every ten post-9/11 veterans is unemployed. Alarming, the rate rises even higher for female veterans.

And although we are focused here today on legislation to enhance opportunities for veterans who are able to work, I would be remiss if I did not remind the committee members that those who cannot seek work because of a service-connected disability continue to face an unacceptably backlogged VA disability claims pipeline, which denies those veterans who cannot work the compensation they deserve to make up for their loss of earnings. This problem, which has seen astronomical growth since 2009 despite a 40% increase in the VA's budget over that period, needs your urgent attention as well.

But for those veterans who are able to work and who want nothing more than to be able to transition back into civilian life, get an education, find gainful employ-



ment, and build a better life for themselves and their families after faithfully and honorably carrying out their service obligations, we owe it to them to ensure that they have the tools, resources, and knowledge to successfully take those next steps in life. As a result, IAVA is supportive of all of the legislation that is the subject of this hearing today. We believe that these bills provide important improvements upon existing programs that serve these purposes.

#### *H.R. 357*

IAVA supports H.R. 357, which would grant in-state status for all veterans using the GI Bill. For those who elect to return to school after completing their military service obligations, the GI Bill has been a remarkable personal development and economic mobility tool for our nation's veterans, and a tremendously successful investment for our country. The new, Post-9/11 GI Bill in particular has also been a tremendous boon for veterans of the wars in Iraq and Afghanistan who deserve the same opportunities and adjusted benefit levels as were afforded to veterans of previous generations.

But with the entry of millions of new veterans into the ranks of those now utilizing their earned education benefits, the need for various adjustments and fixes to the program have come to light over the years. Given that Congress and the American people agree that all veterans deserve a fair opportunity to be able to utilize their benefits without undue hardship, this body has generally been amenable to quickly addressing these various issues as they have come up. H.R. 357 would fix another one of these benefit access and utilization issues by allowing veterans to attend public colleges and universities at their respective in-state rates and, thereby, actually be able to afford to go to school and live comfortably using their Post-9/11 GI Bill benefits.

Because of the nature of military service, service members are required to move around according to the needs of their service. Typically that means they are forced to settle down and reside for years in communities outside of their original state of residence. Service members who are stationed at a particular base or post may live in that state for years, buy a home in that state, shop and pay local taxes to that state, raise a family in that state, and generally become part of the community in that locale. However, that service member is technically still not considered a resident of that state. So if he or she retires or ends his or her term of service in that state and wants to stay local and go back to school as a new veteran in the place where he or she has already functionally settled, that service member would nevertheless be considered a non-resident as a new veteran there and would be forced to pay the often-exorbitant out-of-state tuition rates for his or her education there.

Veterans who wind up living in an area outside of their home states through no fault or choice of their own because of the obligations associated with serving their country in uniform should not be denied the opportunity to use their deserved and earned education benefits to cover the full cost of their education in an area where they have already become functional – but not technical – residents simply because of their military service. This bill would remedy that gap in tuition and residency fairness and ensure that all veterans can take advantage of the promise of the Post-9/11 GI Bill without undue hardship.

#### *H.R. 562*

IAVA supports H.R. 562, which would extend the Veterans Retraining and Assistance Program for an additional three months. This program continues to provide need practical and vocational training to tens of thousands of veterans who are not eligible for any other VA education benefit program. In today's employment climate, this type of support for struggling veterans constitutes a worthwhile investment.

#### *H.R. 631*

IAVA supports H.R. 631, which would enhance, expand, and standardize the content of the Transition Assistance Program for service members who are preparing to reintegrate into the civilian world, go back to school using their VA education benefits, and/or enter the civilian job market, constitutes a positive step in the right direction toward equipping troops with the knowledge and skills they need to be successful as new veterans.

We cannot simply turn new veterans loose into the civilian world and expect them to be successful, just as we would not release them as new troops onto a battlefield without proper acculturation and training. A strong, comprehensive, substantive, and consistent Transition Assistance Program is vital to ensuring service members' successful transition back into civilian life, and to ensuring the security and stability of their families.

We need to remember that many of these men and women go into the military right out of high school, shortly after college, or early in their professional lives, and although they have shouldered great responsibilities and successfully advanced in their careers within the military system during their period of service, the requirements, expectations, and unspoken rules of the civilian employment landscape can be quite different.

*H.R. 844*

IAVA supports H.R. 844, which would extend the eligibility period for vocational rehabilitation programs. Those who have sacrificed their ability to work in service to our nation deserve all the tools and resources we are capable of providing in order to help rehabilitate and equip them for future employment opportunities.

*H.R. 1305*

IAVA supports H.R. 1305, which clarifies eligibility for services under the Homeless Veterans Reintegration Program. Ensuring that all veterans who qualify for this program receive these benefits is critical to helping remedy the veterans homelessness epidemic and to helping these veterans become self-sustaining.

*H.R. 1316*

IAVA supports H.R. 1316, which would clearly delineate certain duties and responsibilities of Directors and Assistant Directors of Veterans' Employment and Training. Prudent supervision and oversight is important to ensuring accountability, and Congress is right to help ensure that the departments and agencies it oversees have sufficiently explicit standards and expectations promulgated.

*H.R. 1402*

IAVA supports H.R. 1402, which would extend VA support for disabled veterans' participation in the Paralympics. The promotion of therapeutic and rehabilitative initiatives for veterans has always been a priority of the VA, and competitive programs such as the Paralympics that foster both recovery and national pride are worthy of our support.

*DRAFT BILL 1*

IAVA would support Draft Bill 1, which would improve and increase the availability of on-the-job training and apprenticeship programs for veterans. This bill represents an important acknowledgement of the enormous benefits that can come from practical learning and training experiences. Sometimes, and in some fields, there is simply no better way to learn a job or trade than to actually dive in and get hands-on experience in that field. And in today's highly competitive job market, getting an initial foot in the door and being able to effectively network can make the difference between finding a job and spending months or years more searching. We should encourage veterans entering the civilian job market to develop and hone these types of practical skills to help them compete with their civilian job-seeking counterparts who may have more experience on the civilian side of their respective industries and fields.

This bill not only expands opportunities for veterans to do just that, but it also smartly focuses on requiring the VA to widely advertise the availability of such programs. After all, the VA can have the best benefits and programs the world, but if no one knows about them and knows how to take advantage of them, then our investment in them and the return on that investment is significantly diminished.

*DRAFT BILL 2*

IAVA would support Draft Bill 2, which would extend the availability of work-study allowances for certain veterans receiving educational benefits from the VA. For those veterans pursuing higher education who need additional assistance to help finance the cost of their education and living expenses while in school, work-study programs provide a relevant and positive way to earn income while supporting the ongoing work of eligible work-study partners.

We again appreciate the opportunity to offer our views on these bills, and we look forward to continuing to work with each of you, your staff, and the Committee to improve the lives of veterans and their families. Thank you for your time and attention.

**Statement on Receipt of Federal Grant or Contract Funds**

Neither Mr. Nicholson nor the organization he represents, Iraq and Afghanistan Veterans of America, has received federal grant or contract funds during the current or two previous fiscal years.

### Prepared Statement of Ryan M. Gallucci

Chairman Flores, Ranking Member Takano and members of the Subcommittee, on behalf of the nearly 2 million members 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 stance on legislation pending before this Subcommittee.

Though the economy continues to slowly recover, unemployment among young veterans who served after 9/11 continues to outpace unemployment among civilians. Over the last few years, the VFW has prioritized veteran-hiring initiatives and championed legislation before this committee in an effort to help our service members and veterans secure meaningful careers after military service.

I want to first thank the subcommittee for its hard work in the 112th Congress, championing legislation like the VOW to Hire Heroes Act, the Improving Transparency in Education for Veterans Act, and dozens of other initiatives that have helped make today's veterans more competitive during difficult economic times.

However, with the war in Iraq over, drawdown in Afghanistan imminent, proposed reductions in the active duty military and plans to rely heavily on the Guard and Reserve for future missions, we must continue to do more. The bills we are discussing today will help veterans of all eras remain competitive in the workforce; improve transitional resources for separating service members; foster rehabilitation among severely wounded veterans; and enhance services to homeless and at-risk veterans.

#### **H.R. 357, GI Bill Tuition Fairness Act of 2013:**

Over the last few years, the VFW, American Legion and Student Veterans of America have worked closely to improve educational resources for veterans, ensuring potential student-veterans are academically and financially prepared for the rigors of college life. A major roadblock that prevents student-veterans from receiving a quality, reasonably-priced education through the Post-9/11 GI Bill is the inability to qualify as in-state residents for tuition purposes while attending public colleges and universities. Specifically, recently-separated veterans who may be legal residents of a particular state, but who have been stationed on a military installation in another state, will not qualify as residents when they seek to attend a public college or university because they have not been physically present in the state long enough to qualify as a resident for tuition purposes. As of 2011, Student Veterans of America reports that only one out of every five veterans attending a public school is eligible to attend at the in-state rate.

The Post-9/11 GI Bill was intended to offer veterans a free, public education and a modest living stipend, allowing veterans to treat college as a full-time job, without worrying about financial stability. Current law only allows VA to reimburse veterans attending public schools for the cost of an in-state education, meaning veterans who cannot qualify for in-state tuition will only receive meager reimbursement for college. This clerical oversight forces veterans to find other ways to pay for college either through other federal aid programs, finding full time employment or amassing student loan debt even when they make a good faith effort to legally reside in a state and attend a public school.

An easy solution to this issue would be for public colleges and universities to allow Post-9/11 GI Bill-eligible veterans to attend at the in-state rate. Service members already have similar protections when they use military Tuition Assistance at public schools, with minimal impact on the ability of state colleges and universities to deliver a quality, reasonably-priced education.

Ten states already offer in-state tuition to veterans, eight states offer conditional waivers for veterans in certain circumstances, and 16 states have legislation pending. Of the states that have passed in-state tuition initiatives for veterans, both Republican and Democrat state leaders have all agreed that the financial benefits for the state far outweigh the illusory financial burdens that some in higher education believe would be detrimental to institutional budgets – particularly since graduates of public colleges and universities traditionally pursue careers close to their alma mater.

When Ohio passed its in-state tuition waiver in 2009, then- Gov. Ted Strickland said of in-state tuition, "It delivers real support to veterans while helping strengthen Ohio's strategic plan for higher education, which calls for attracting and keeping talent in the state. Who better to have as part of Ohio's colleges and universities, workforce and communities than the veterans who have served, led, and protected our country?"

When Virginia passed its law in 2011, Gov. Bob McDonnell said “These men and women have served our country; it is essential that we continue to work to better serve them. Veterans are the kind of citizens we want in the Commonwealth and that we want as part of our workforce.”

When Louisiana passed its law in 2012, Gov. Bobby Jindal said, “This new law encourages members of the U.S. military – who are the best trained professionals in the world – to pursue an education in our state, which will be an economic boost, but most importantly, it’s yet another means for us to thank these brave men and women for their service.”

The Post-9/11 GI Bill is a federal program designed to help our nation’s heroes acquire the skills necessary to build a successful career after military service. Our veterans served the nation; not a particular state. They should not be penalized for their honorable service when they cannot satisfy strict residency requirements for tuition purposes. The VFW regularly hears from student-veterans who confirm that financial uncertainty is the most significant roadblock to persistence and graduation. To combat this, it only makes sense to allow our student-veterans to attend college at a reasonable rate when seeking to use their earned Post-9/11 GI Bill benefits, and we hope the committee moves quickly to pass this legislation.

#### **H.R. 562, VRAP Extension Act of 2013:**

The VFW was proud to support the establishment of the Veterans Retraining Assistance Program (VRAP) as part of the VOW to Hire Heroes Act on 2011. To date, more than 93,000 veterans between the ages of 35–60 have certified eligibility for the program. Unfortunately, fewer than 41,000 eligible veterans have enrolled in an eligible program to date. The original VRAP program is set to expire on March 31, 2014, meaning that veterans who did not enroll as of April 1 will not be able to use all 12 months of eligibility for the program. The VFW supports extending this deadline to June 30, 2014 to ensure that eligible veterans can enroll in an academic program and use their full year of benefits.

However, the VFW echoes the concerns of this committee that enrollment remains too low. We fully support a report to Congress on the outcomes of VRAP, but we also ask the committee to consider two critical improvements to the program.

First, Congress should ease the restriction on institutional eligibility for VRAP. The VFW understands that VRAP will only pay for programs no longer than two years in duration. As a result, four-year institutions are ineligible to participate. On the surface, this makes sense. Unfortunately, quality four-year institutions that offer certificate and two-year programs are locked out of VRAP, and veterans are told to enroll at community colleges or online schools.

However, not all communities offer community colleges. For example, in Erie, Pennsylvania, the Pennsylvania State University Erie Campus serves as a de facto community college, even though the school also offers four-year programs. Veterans who wish to use their VRAP benefits will not find an eligible community college nearby. They simply do not exist in Erie.

Second, Congress must make it easier for VRAP benefits to cover remediation training. Recently, the VFW heard from the Student Veterans Organization at the Community College of Rhode Island, which boasts significant enrollment from VRAP-eligible veterans. By the very nature of the program, many eligible veterans require significant remediation in areas like math, composition and computer literacy. Unfortunately, CCRI’s student-veterans report that these basic remedial skills cannot be paid for through VRAP since they are not part of the core curriculum for VRAP-approved programs. The VFW believes this sets up eligible veterans for failure. Veterans must be able to use VRAP for basic remediation. Otherwise, we cannot reasonably expect veterans to have the skills necessary to complete their approved programs in a timely manner.

#### **H.R. 631, Servicemembers’ Choice in Transition Act of 2013:**

The VFW fully supports the redesign of the military’s transition assistance programs (TAP), and we thank VA, Department of Labor, the Small Business Administration, and Department of Defense for allowing VFW to audit and evaluate pilot curricula for redesigned TAP and the new Transition GPS model.

While we acknowledge that TAP has significantly improved through this latest redesign, we have concerns that the program will still fail to adequately prepare servicemembers for civilian life, since participation in individualized tracked curricula will not be mandatory.

Rather than mandating participation in one of three new tracks focusing on education, vocational/technical careers or entrepreneurship, DoD has instead decided that servicemembers will need to meet “career readiness standards” in the track of their choice. To the VFW, this is not what we envisioned when we suggested that

DoD develop curricula from which a transitioning service member could choose prior to separation.

Instead, the VFW envisioned a model similar to Marine Corps TAP, through which a service member would attend service-specific training, the VA benefits briefings, then choose from one of four tracks: Employment, education, entrepreneurship, and vocational/technical. Chairman Flores, your bill clarifies that the intent of the TAP redesign was to offer this kind of transitional training, and we are proud to support it.

The VFW supports DoD's efforts to build a life cycle model for military professional development, but we are concerned that the new model will still fail to adequately prepare service members for civilian life. We prefer the model set forth in H.R. 631, which allows service members to actively choose their unique transition plan, but also acknowledges the finite time frame services can dedicate to preparing separating service members for civilian life.

**H.R. 844, VetSuccess Enhancement Act:**

The VFW has a long-standing resolution calling on VA to lift the delimiting date for participation in the Vocational Rehabilitation (VR&E) program, and we are proud to support H.R. 844, which extends the delimiting date by five years.

The VFW has long held that if disabled veterans need additional skills to be employable, then VA has a duty to offer these resources regardless of how long a veteran has been separated from the military. Over time, service-connected disabilities can limit veterans in their career choices. Veterans limited by their disabilities may need VR&E services later in life to remain competitive in an ever-changing workforce, and the VFW believes it is our obligation to offer those resources without arbitrary time restrictions.

VA already has some regulatory flexibility in how it can administer VR&E benefits, but the VFW prefers to see the delimiting date lifted in code.

**H.R. 1305, To amend title 38, United States Code, to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program:**

The Homeless Veterans Reintegration Program (HVRP) offers tremendous transitional resources to homeless veterans seeking to reenter the workforce. Unfortunately, due to the rigid definition of "homeless veteran," many formerly homeless, formerly incarcerated, or transitioning veterans who could benefit the most from the program are ineligible. By expanding the definition to include these categories of at-risk veterans, HVRP will offer more veterans the opportunity to successfully reenter the workforce.

**H.R. 1316, To amend title 38, United States Code, to specify the responsibilities of the Directors and Assistant Directors of Veterans' Employment and Training:**

The VFW is proud to support H.R. 1316, which will finally codify the specific responsibilities of Directors of Veterans Employment and Training (DVETS) and Assistant Directors of Veterans Employment and Training (ADVETS) in state workforce development agencies. The VFW understands that many DVETS and ADVETS already fulfill these responsibilities, but we echo Department of Labor Veterans Employment and Training Services that federally-funded directors responsible for managing veterans' employment resources on the state level must have consistency in mission. The VFW is also concerned that DVETS and ADVETS must be protected should the SKILLS Act (H.R. 803) gain momentum in Congress, transforming how state workforce development programs are funded and structured. Our goal is to ensure that veteran-specific resources continue to be available in every state and that services are rendered consistently. In order to do this, the House Veterans Affairs Committee must be able to provide direct funding and continue to have direct oversight of DVETS and ADVETS.

**H.R. 1402, To amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc.:**

The VFW believes that rehabilitation through sports fosters healthy living, physical fitness, and a competitive spirit for our disabled veterans, many of whom have suffered catastrophic injuries in the line of duty. VFW Posts and Departments around the country consistently support rehabilitative sports in their communities,

which is why we are proud to support extending VA's collaboration with United States Paralympics, Inc. through 2018.

By supporting responsible rehabilitative sports initiatives like those provided by the U.S. Paralympic Team, the VFW believes that combat-wounded veterans will not simply overcome their injuries, but also discover new personal strengths and abilities.

**Draft bill, Improving Job Opportunities for Veterans Act of 2013:**

The VFW believes that the intent of the GI Bill is to allow veterans to acquire the necessary skills to compete in the civilian job market. For many veterans, the simplest path to acquiring these skills is through higher education. However, we must stress that college is not for everybody, which is why GI Bill-eligible veterans can also acquire highly-marketable job skills through VA-approved apprenticeship and on-the-job training programs (OJT).

The National Association of State Approving Agencies (NASAA) consistently touts the merits of approved OJT programs, but admittedly has trouble informing eligible veterans that the programs exist.

Through this draft legislation, VA will be able to readily publicize the availability of OJT and also make the program more attractive to potential employers by offering greater flexibility in compensation for trainees. To take this one step further, the VFW would suggest restoring outreach funding to State Approving Agencies, which play a critical role in informing veterans of OJT opportunities.

The VFW would proudly support this initiative to increase the visibility and viability of VA-approved OJT programs.

**Draft bill, To 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:**

This draft bill is a simple extension of VA's authority to offer work-study allowances for student-veterans. The VFW has long supported the VA work-study program and we would proudly support this initiative to extend the program to 2018.

Chairman Flores, Ranking Member Takano, and members of the Subcommittee, this concludes my testimony and I would be happy to answer any questions you 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, VFW has not received any federal grants in Fiscal Year 2013, nor has it received any federal grants in the two previous Fiscal Years.

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**Prepared Statement of Steve L. Gonzalez**

Chairman Flores, Ranking Member Takano and distinguished Members of the Subcommittee, on behalf of Commander Koutz and the 2.4 million members of The American Legion, I thank you and your colleagues for the work you do in support of our service members and veterans as well as their families. The hard work of this Subcommittee in creating significant legislation has left a positive impact on our military and veterans' community.

In the last Congress alone, The American Legion was pleased to support and advocate for the passage of legislation out of this Committee that included the VOW to Hire Heroes Act, the Veteran Skills to Jobs Act, and the Improving Transparency of Education Opportunities for Veterans Act. These bills, and others passed into law during the 112th Congress, show the commitment and determination of members of this Committee to improving the lives of those who have served our country.

As you know, our servicemen and women returning from Iraq and Afghanistan are met with daunting challenges at home. These soldiers, sailors, airmen and Marines are greeted by a soft economy that has resulted in an alarmingly high unemployment rate among our highly skilled veteran community. What our veterans need are jobs, business opportunities or education pathways that can help support a successful transition from military service to prosperous civilian careers.

As the largest organization of wartime veterans, the Legion's voice is representative of more than 4 million veterans and patriotic Americans. Our positions are guided by nearly 100 years of consistent advocacy, and resolutions that originate at the grassroots level of the organization – the local American Legion posts and veterans in every congressional district of America. The Headquarters staff of the Legion works daily on behalf of veterans, military personnel and our communities

through roughly 20 national programs, and hundreds of outreach programs led by our posts across the country.

We appreciate the opportunity to present The American Legion's views regarding this legislation, and believe we are uniquely qualified to participate in this discussion.

#### **H.R.357: GI Bill Tuition Fairness Act of 2013**

Directs the Secretary of Veterans Affairs (VA), for purposes of the educational assistance programs administered by the Secretary, to disapprove courses of education provided by public institutions of higher education that do not charge tuition and fees for veterans at the same rate that is charged for in-state residents, regardless of the veteran's state of residence.

The American Legion is synonymous with veteran's education, being instrumental in the first and most recent GI Bill's passage and helping the modern-day veteran navigate the confusing world of education benefits. The main reason for the Post 9/11 GI Bill was that VA education benefits were no longer covering fast-rising tuition costs. Working with Congress, we stressed the need for a "21st century GI Bill" that would provide benefits worthy of our veterans and offer the same opportunities afforded to those who fought in World War II.

However, over the last couple of years, we have heard from countless veterans who, because of the nature of military service, often have a difficult time establishing residency for purposes of obtaining in-state tuition rates. Under current rules 40,000 student-veterans have to pay the difference between in-state tuition, which is covered by the Post-9/11 GI Bill, and out-of-state tuition if they are attending school as a nonresident. Because of this, many of our student-veterans are unable to use their GI Bill benefits at an institution of higher education of their choice or are required to pay thousands of dollars in out-of-pocket expenses in nonresidential tuition rates. Furthermore, public colleges and universities have significantly raised the costs of out-of-state tuition to offset decreasing revenues due to state budget cuts. Circumstances such as these pose significant challenges to using this important benefit.

Therefore, The American Legion has led a state-by-state initiative to introduce, advocate for and support state legislation that would make all student-veterans eligible for in-state tuition at public colleges and universities, regardless of their residency status.

We were also pleased to see Chairman Miller and Ranking Member Michaud cooperate to introduce this bipartisan legislation, H.R. 357, which would require public colleges and universities to give veterans in-state tuition rates even though they may not be residents. The requirement would apply to state schools which have programs which are eligible for the GI Bill.

Veterans shouldn't have to go into deep debt for their education just because their permanent residence is in another state or assume tremendous financial burdens due to the recent change in law which often capped GI Bill benefits far short of high out-of-state rates. Therefore, this legislation is absolutely essential to thousands of veterans who were promised this funding for their college education when the Post-9/11 GI Bill was originally passed and is vital to giving veterans an equal opportunity to afford the school of their choice.

**The American Legion supports this bill.**

#### **H.R.562: VRAP Extension Act of 2013**

Amends the VOW to Hire Heroes Act of 2011 to extend through June 30, 2014, the veterans retraining assistance program (VRAP). Directs the Secretary of Veterans Affairs (VA) to submit to Congress an interim report on the retraining assistance provided under such program.

The American Legion has worked with thousands of veterans who need to update their skill sets in order to be competitive in today's workforce, which is why we actively supported passage of the VOW to Hire Heroes Act of 2011. As part of the VOW Act, VRAP provides up to 12 months of education benefits to unemployed veterans between the ages of 35-60, a group comprising nearly two thirds of all unemployed veterans. As the law currently stands, VRAP is scheduled to expire March 31, 2014, and The American Legion supports this extension which will allow veterans using VRAP to continue to receive funding through what is considered the traditional spring semester of 2014 at the institution where they are enrolled, making it possible for participants to complete training while receiving VRAP benefits. The American Legion works closely with many of these program participants and can testify to the need for them to be able to complete the programs they started

through this new initiative. As such, The American Legion supports extending this deadline to ensure that participating veterans can use their full year of benefits.

The bill would also require an interim report to Congress to measure VRAP's success in helping unemployed veterans find jobs. Understanding the program's effectiveness would give Congress and stakeholders monitoring this program, like the Legion, the information needed to decide whether extending VRAP makes sense for our veterans as well as American taxpayers.

**The American Legion supports this bill.**

#### **H.R. 631: Servicemembers' Choice in Transition Act of 2013**

Amends provisions concerning the Transition Assistance Program of the Department of Defense (employment and job training assistance and related services for members of the Armed Forces being separated from active duty, and for their spouses) to require such Program to consist of at least five days of instruction as follows: (1) at least one day of service-specific pre-separation training; (2) up to one day each for instruction in preparation for employment, preparation for education or career or technical training, preparation for entrepreneurship, or other options determined by the Secretary of the military department concerned; (3) at least two days of in-depth instruction of the participant's choice in any of the subjects described under (2), above; and (4) up to one day in benefits provided under laws administered by the Secretary of Veterans Affairs (VA) and in other subjects determined by the Secretary concerned.

The American Legion works with transitioning veterans through a variety of programs, including job fairs and resume writing workshops. Over the past several years, The American Legion has attended and audited many of the Transition Assistance Programs (TAP) that are administered nationwide. Recognizing the importance TAP plays in the lives of separating service member and their families, The American Legion heartily supported the VOW to Hire Heroes Act of 2011 which, in relevant part, makes TAP mandatory for most service members transitioning to civilian status, upgrades career counseling options, and job hunting skills, as well as ensures the program is tailored to individuals and the 21st Century job market.

Transition Goals Plans Success, known simply as Transition GPS, replaces the 20-year-old Transition Assistance Program and takes military members through a week-long class, compared to the original TAP's mandatory two to four hours of separation counseling. In the course of five days, service members develop an individual transition plan that maps out financial planning and a budget to follow the first 12 months after separating from the military. It also covers how to write a resume and how to interview for a job, along with exploring how military skills can be carried over into the civilian work force. In addition to the DOL workshop, a Veterans Affairs representative goes over benefits.

The new curriculum also includes optional two-day capstone courses which cover an educational track, a technical and skills training track and entrepreneurship track, and allows the separating service members to hone in on the field they intend to pursue after service. However, these capstone courses are not recognized by DOD as being a part of the core curriculum.

The American Legion has been hosting veterans Small Business Training programs for almost 10 years, and understands the critical need for transitioning service members to have a variety of post-military choices that best suit their individual employment goals and particular family needs. Therefore, we share the concerns of this Subcommittee, that mandatory training must include those alternative paths, and that forcing every service member to sit through 3 days of job-hunting skills at the expense of training that tailored to their post-discharge intentions is a poor use of resources. A program of providing a core instruction summarizing the highlights of the detailed tracks, followed by allowing the servicemember to choose a track as part of the mandatory coursework, is a superior approach to meeting the needs of TAP participants. H.R. 631 clarifies that the intent of the TAP redesign was to offer this kind of transitional training, and we are pleased to support it.

**The American Legion supports this bill.**

#### **H.R. 844: VetSuccess Enhancement Act**

To amend title 38, United States Code, to extend the eligibility period for veterans to enroll in certain vocational rehabilitation programs.

The number of service members, National Guard, and reservists who separate from active duty with service-connected disabilities has risen as a result of the engagement of the U.S. Armed Forces in Iraq and Afghanistan. The Vocational Rehabilitation and Employment (VR&E) Program provides comprehensive services and



assistance to enable veterans with service-connected disabilities and employment handicaps to achieve maximum independence in daily living, to become employable, and to obtain and maintain suitable employment.

However, the basic period of eligibility for VR&E benefits is limited to 12 years from the date of separation from the military or the date the veteran was first notified by VA of a service-connected disability rating. Based on American Legion case studies, several years ago The American Legion passed a resolution calling on VA to lift the delimiting date for participation in the program. We have found that many service members and veterans do not understand their eligibility to VR&E services and the benefits of the program until later in life when they become so disabled that their disabilities create an employment barrier. Because this legislation would extend the delimiting date by five years, we can support it as a step in the right direction, but The American Legion would prefer to see the delimiting date eliminated altogether.

**The American Legion supports this bill.**

#### **H.R. 1305**

To amend title 38, United States Code, to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program

The American Legion has taken a leadership role within local communities by volunteering, fundraising, and advocating for programs and funding for homeless veterans, as well as hosting workshops and roundtables in Washington, D.C. and around the country. In doing so, we've seen and heard from homeless veterans and their families that obtaining meaningful employment is absolutely key to their transition back into mainstream society.

Currently, homeless veterans are eligible for job training and placement services under the Homeless Veteran Reintegration Program (HVRP), the only nationwide program focused on assisting homeless veterans to reintegrate into the workforce. Unfortunately, the U.S. Department of Labor has determined that some homeless veterans are not eligible to participate in this existing program. Specifically, the Department of Labor has concluded veterans who are participating in another program, known as the HUD-VASH voucher program, are not considered truly "homeless", and are therefore ineligible for the very programs that will help them re-enter the workforce and get them back on their feet.

While it's true that some veterans in the HUD-VASH Program do not actively seek employment due to serious mental illness, substance use disorders, physical disabilities or co-occurring disorders, many others are in need of the job placement and retention services provided by HVRP. Access to HVRP while being housed with a HUD-VASH voucher will allow many formerly homeless, formerly incarcerated, or transitioning veterans to leverage the available federal resources that will strengthen their financial stability and independent living. The HUD-VASH Program does not alleviate a veteran's need for the employment support provided by HVRP.

Finally, in our view HVRP is a highly successful grant program and needs to be fully funded at \$50 million. Currently, HVRP is funded at \$38.26 million.

**The American Legion supports this bill.**

#### **H.R. 1316**

To amend title 38, United States Code, to specify the responsibilities of the Directors and Assistant Directors of Veterans' Employment and Training.

The Veterans Employment and Training Service (VETS) is an independent agency within the Department of Labor (DOL) created specifically to assist veterans in making the transition from military to civilian life, train for and find good jobs, and to protect the employment and reemployment rights of veterans, Reservists and National Guard Members. VETS maintains a network of State Directors and Assistant Directors of Veterans' Employment and Training Service (DVETs/ADVETs).

The American Legion has long supported Labor's VETS program. We have worked closely with the Department of Labor and the program since it was introduced, we are a member of the Department's Veterans Advisory Committee, and Legionnaires have worked at all levels of the organization. VETS leadership actively consults with the Legion to ensure their work is in keeping with Legion views and we believe strongly in the agency's expertise and experience to manage the program effectively.

We have reviewed the current position descriptions for the DVETs and note the almost total overlap between them and the proposed duties outlined in the bill.

For these reasons, The American Legion does not see the need at this point in specifying in the code the responsibilities for these positions. Further, we believe

VETS, which has responsibly managed these positions heretofore, should retain the authority and flexibility to define the positions.

**The American Legion is unable to support this bill at this time.**

#### **H.R. 1402**

To amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc.

Public Law 110-389 (2008) authorized VA to award grants to the U.S. Olympic Committee to plan, manage and implement an adaptive sports program for disabled veterans and disabled members of the Armed Forces. In addition, it authorized a monthly subsistence allowance to qualifying disabled veterans in training or competing for the Paralympics to help them more easily take part in competitive sports. Further, both were authorized during fiscal years 2010 through 2013. H.R. 1402 would extend these authorizations through 2018.

Since its foundation in 1919, The American Legion has identified as its most important issue the rehabilitation and reintegration of the disabled veteran. We have been working intimately with the Paralympic program since 2005 and are also strong believers in the physical and psychological benefits that come from involvement in sports and recreation. Thus, we support such programs of the U. S. Olympic Committee that facilitate the rehabilitation and reintegration of our disabled veterans and service members. We know that sports and physical activity can have a transformative effect on those with a physical disability and the continued provision of funds will help to expand and provide greater access to sports programs for injured veterans and disabled members of the Armed Forces.

**The American Legion supports this bill.**

#### **Draft bill: Improving Job Opportunities for Veterans Act of 2013**

To improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs.

On-the-job training is still the predominant form of job training in the United States, particularly for non-managerial employees and numerous studies indicate that it is the most effective form of job training.

The VA's On-the-Job & Apprenticeship Training Program offers veteransor currently serving guard or reserve an alternative way to use their GI Bill education and training benefits if they would rather not utilize them through higher education. Unfortunately, The American Legion has found that most veterans are not aware they can use their GI Bill benefits for on-the-job training and apprenticeship programs with many businesses.

This draft legislation would mandate VA promote this program to veterans in national media outlets as highly efficient and effective ways of obtaining jobs, as The American Legion has been promoting this program locally through our posts. It would also lower the costs to companies who participate in the program making it more attractive for them to participate.

The American Legion works closely with the State Approving Agencies (SAAs) to ensure they correctly administer on-the-job and apprenticeship programs and understand both their value and importance. They have historically also been at the forefront of promoting and marketing these programs through their outreach efforts, so we believe VA should partner with SAAs in any public relations campaign they undertake and we furthermore recommend that VA restore outreach funding for SAAs so they can more effectively promote these and other GI Bill educational programs.

**The American Legion supports this bill.**

#### **Draft bill**

To amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by Secretary of Veterans Affairs

This draft bill is an extension of the Department of Veteran Affairs authority to offer certain work-study allowances for student-veterans due to expire mid-year. The American Legion has long supported the Department of Veteran Affairs work-study program and supports this initiative to maintain as many of these work-study opportunities as possible.

This program provides a valuable benefit to student-veterans and that benefit is often multiplied many times over when, for example, they are allowed to perform outreach services to service members and veterans furnished under the supervision of a State approving agency employee. This is just one instance of the important work that is accomplished by these student-veterans.

**The American Legion supports this bill.**

As always, The American Legion thanks this Subcommittee for the opportunity to explain the position of the over 2.4 million veteran members of this organization.

For additional information regarding this testimony, please contact Mr. Jeffrey Steele at The American Legion's Legislative Division, 202-263-2987 or [jsteele@legion.org](mailto:jsteele@legion.org).

**Executive Summary**

H.R. 357	Legion supports
H.R. 562	Legion supports
H.R. 631	Legion supports
H.R. 844	Legion supports, suggests improvements
H.R. 1305	Legion supports
H.R. 1316	Legion cannot support
H.R. 1402	Legion supports
<i>Improving Job Opportunities for Veterans Act of 2013</i>	Legion supports, suggests improvements
Draft bill to extend the authority to provide work-study allowance	Legion supports

**Prepared Statement of Michael Dakduk**

Chairman Flores, Ranking Member Takano and members of the Subcommittee: Thank you for inviting Student Veterans of America to participate in this hearing to discuss pending legislation intended to increase support for military servicemembers and veterans.

Student Veterans of America (SVA) is the largest and only national association of military veterans in higher education. Our mission is to provide military veterans with the resources, support, and advocacy needed to succeed in higher education and after graduation. We currently have over 800 chapters, or student veteran organizations, at colleges and universities in all 50 states that assist veterans in their transition to and through higher education. SVA chapters are organized at four-year and two-year public, private, nonprofit, and for-profit institutions of higher learning. This diverse and direct contact gives SVA a unique perspective on the needs and obstacles faced by our nation's veterans as they utilize education benefits in preparation for their future transition into the civilian workforce.

**H.R. 357, GI Bill Tuition Fairness Act of 2013:**

The Post-9/11 GI Bill pays the highest in-state tuition and fees. Due to military obligations, many veterans are unable to establish in-state residency for the purposes of enrolling at a public university or college. Ultimately, this becomes a financial burden that leaves veterans vying for additional financial aid due to out-of-state residency status.

According to a state-by-state landscape analysis conducted by our organization, 11 states waive the residency requirement for any veteran to receive in-state tuition. They include Arizona, Colorado, Idaho, Louisiana, Minnesota, New Mexico, North Dakota, Ohio, South Dakota, Utah, and Virginia.

Eight states waive the residency requirement for some veterans to receive an in-state tuition waiver or the state's public university school system offers the waiver.

They include Alaska, Delaware, Georgia, Iowa, Maryland, Mississippi, Rhode Island, and Texas.

16 state legislatures are currently considering legislation that would waive the residency requirement for veterans to receive in-state tuition. Those currently reviewing state legislation include Alabama, California, Florida, Illinois, Indiana, Massachusetts, Michigan, Missouri, New York, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, and Washington.

However, the nuanced policies and variability between states and university systems are highly complex.

For example, the board of regents of the Alaska higher education system decided to waive the 12 month residency requirement, a virtually universal waiting period in higher education to gain in-state residency status, to all veterans and dependents.

In contrast, Maryland offers in-state residency only to those veterans that graduated from a Maryland high school. They currently have pending legislation to provide in-state tuition to all veterans.

There are many other unique examples across the spectrum of higher education related to veterans and residency status for the purposes of gaining in-state tuition.

We are proud to be working with the American Legion on a state-by-state initiative to see in-state tuition granted to all veterans. We are also very proud to be aligned with both the American Legion and the Veterans of Foreign Wars (VFW) in seeing this issue resolved in Congress. SVA fully supports H.R. 357 and we encourage Congress to recognize that veterans served our nation in its entirety, not just one state.

#### **H.R. 562, VRAP Extension Act of 2013:**

Many student veterans do not follow a traditional path toward college completion, which makes it very difficult to enroll in and complete programs of higher learning based on a set time block. For this reason, SVA fully supports this bill to extend the VRAP program by three months. SVA is also in favor of quality measures to determine the success of this program in order to make data-driven decisions for VRAP and future veteran employment initiatives.

SVA, however, shares the same concerns as the VFW with regard to institutional and remedial course restrictions. The VRAP program should be expanded to include four-year institutions of higher learning. They too provide critical certificates and two-year degree programs designed to combat veteran unemployment. Additionally, remedial courses have been omitted from VRAP. We cannot reasonably expect veterans to succeed in a program of higher learning after being removed from the college classroom for several years and one or more combat deployments. Remedial coursework is critical to a student veteran's academic success.

#### **H.R. 631, Servicemembers' Choice in Transition Act:**

SVA has long supported the reform of the military transition assistance programs (TAP). While we believe the improvements to TAP are a step in the right direction, we support formally linking TAP tracks to the mandatory curriculum.

Currently, there exist three optional tracks administered at the tail-end of the TAP course. The three optional tracks include education, entrepreneurship, and vocational training. However, none of the aforementioned tracks are truly integrated into the mandatory TAP program, leaving servicemembers at-risk of losing valuable information during their transition.

SVA supports institutionalizing tracks as a mandatory component of TAP as written in H.R. 631.

#### **H.R. 844, VetSuccess Enhancement Act:**

Student Veterans of America fully supports any initiative to extend the life of meaningful veteran programs. Veterans are nontraditional students, meaning some will return to school or other training programs later in life. By extending Vocational Rehabilitation programs from 12 years to 17 years, many wounded veterans would have more flexibility in using their benefits. Ultimately, SVA would like to see the delimiting date fully lifted.

#### **H.R. 1305, To amend title 38, United States Code, to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program:**

We understand this bill would clarify rigid language currently written in the law for the Homeless Veterans Reintegration Program. We stand with the American Legion and VFW in offering our support for this bill, which would ultimately increase employment support for veterans.

**H.R. 1316, Directors of Veterans' Employment and Training Accountability Act:**

SVA supports accountability and consistency across the state workforce development agencies as it relates to Veterans' Employment and Training. However, SVA respects the American Legion's reservations in supporting this legislation. Before fully endorsing this bill, we will work with our colleagues at the American Legion and the VFW to better gauge the full range of issues addressed by this bill.

**H.R. 1402, To amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc.:**

Generally, SVA does not endorse legislation outside of education and employment unless such legislation has a clear link to education and employment. Therefore, SVA cannot endorse this bill. However, SVA stands in support of the VFW and the American Legion in recognizing that initiatives like the Paralympics remain a major part of many wounded veterans' whole-life improvement, ultimately leading to greater success in academia and the labor force.

**Draft Bill, Improving Job Opportunities for Veterans Act of 2013:**

SVA supports increased awareness for on-the-job training (OJT) and apprenticeship programs. We remain a strong proponent of the OJT provisions in the Post-9/11 GI Bill and understand that some veterans seek better futures through apprenticeships and other OJT programs that may not be found in a traditional college classroom setting. We also support incentivizing employers to hire more veterans, especially now as the military force is projected to downsize.

**Draft Bill, To amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by Secretary of Veterans Affairs:**

Many student veterans use the work-study program as a supplement to pay for their bills and other costs not covered by primary VA educational programs. SVA strongly supports the VA work-study program.

Thank you Chairman Flores, Ranking Members Takano, and distinguished members of the subcommittee for allowing Student Veterans of America to present our views on legislation focused on supporting veterans, military servicemembers, and their families.

**Executive Summary**

- H.R. 357: Currently, 11 states have passed laws providing in-state residency status to student veterans. Another eight states provide some or limited support to veterans or have university-based policies granting in-state residency status to veterans. 16 states have pending legislation to grant in-state tuition to veterans. Given that the Post-9/11 GI Bill pays the highest in-state tuition and fees, SVA fully supports granting in-state tuition to veterans as proposed in H.R. 357.
- H.R. 562: SVA support extending VRAP by three months and measuring the success of the program. SVA supports H.R. 562 and encourages Congress to loosen some institutional and remedial coursework restrictions in the VRAP program.
- H.R. 631: While we believe the improvements to TAP are a step in the right direction, SVA supports formally linking the optional TAP tracks to the mandatory curriculum that is reflected in H.R. 631.
- H.R. 844: SVA supports extending the life of Vocational Rehabilitation programs by five years. Ultimately, SVA would like to see the delimiting date fully lifted. We support H.R. 844.
- H.R. 1305: We stand with the American Legion and VFW in offering our support for this bill, which would ultimately increase employment support for veterans.
- H.R. 1316: SVA supports accountability and consistency across the state workforce development agencies as it relates to Veterans' Employment and Training. Before fully endorsing this bill, we will work with our colleagues at the American Legion and the VFW to better gauge the full range of issues addressed by this bill.
- H.R. 1402: Generally, SVA does not endorse legislation outside of education and employment unless such legislation has a clear link to education and employ-

ment. We support our colleagues at the American Legion and VFW, but SVA cannot endorse this bill.

- Draft Bill Entitled “Improving Job Opportunities for Veterans Act of 2013”: SVA supports increased awareness for on-the-job training (OJT) and apprenticeship programs as described in this draft bill.
- Draft Bill Extending Work Study Allowance: SVA fully supports the VA Work Study program.

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## Statements For The Record

### The National Coalition for Homeless Veterans

**Chairman Bill Flores, Ranking Member Mark Takano, and distinguished members of the House Committee on Veterans’ Affairs, Subcommittee on Economic Opportunity:**

The National Coalition for Homeless Veterans (NCHV) is honored to present this Statement for the Record for the legislative hearing on April 10, 2013. On behalf of the 2,100 community- and faith-based organizations that NCHV represents, we thank you for your commitment to serving our nation’s most vulnerable heroes.

This written statement will focus on NCHV’s strong support for Rep. Brad R. Wenstrup’s H.R. 1305, “To amend title 38, United States Code, to provide clarification regarding eligibility for services under the Homeless Veterans Reintegration Program.” If signed into law, this legislation would immediately impact veteran service providers and their clients.

H.R. 1305 serves a simple purpose: to clarify eligibility for the Homeless Veterans Reintegration Program (HVRP). Specifically, the bill would ensure that the following two subgroups of homeless veteran are able to access HVRP:

1. Veterans who participate in the interagency supportive housing program known as HUD–VASH, and
2. Veterans who are transitioning out of incarceration.

While current law could potentially be construed in such a way as to render H.R. 1305 unnecessary, this bill would eliminate any uncertainty. Therefore, NCHV strongly supports its swift passage.

#### *Background on Federal Programs Impacted by H.R. 1305*

Administered by the U.S. Department of Labor–Veterans’ Employment and Training Service (DOL–VETS) for more than two decades, HVRP is the nation’s largest employment program wholly dedicated to serving homeless veterans, most of whom have serious and multiple barriers to re-entering the workforce.

HVRP is authorized by Title 38, U.S. Code, § 2021, which instructs the Secretary of Labor to conduct such programs “to expedite the reintegration of homeless veterans into the labor force.” The term “homeless veteran” is defined in Title 38, U.S. Code, § 2002 as: “a veteran who is homeless (as that term is defined in section 103(a) of the McKinney–Vento Homeless Assistance Act (42 U.S.C. 11302(a))).”

A veteran who is housed through the HUD–VA Supportive Housing (HUD–VASH) Program – jointly administered by the U.S. Departments of Housing and Urban Development and Veterans Affairs – does not meet the definition of “homeless veteran” as described above. However, a veteran possessing a HUD–VASH voucher and actively searching for housing is not prohibited from enrolling in HVRP. If a veteran resides in a shelter while searching for permanent housing, for instance, he or she would be considered homeless. Only once that veteran moves into permanent housing with a HUD–VASH voucher would he or she no longer meet the McKinney–Vento definition of “homeless.”

The HUD–VASH Program was revamped in fiscal year (FY) 2008, when the U.S. Congress appropriated \$75 million for approximately 10,000 HUD–VASH vouchers. Through FY 2013, Congress has appropriated at least \$50 million for new vouchers each fiscal year. Today, about 57,000 vouchers are funded by Congress.

#### *Why Does HVRP Eligibility Need to Be Clarified?*

The modern-day version of the HUD–VASH Program did not exist when HVRP was introduced, and the rapid advancement of homeless persons into permanent housing was not necessarily an expected outcome for clients in VA-funded transitional assistance programs. There is mounting pressure to reduce inefficiencies among federal homeless assistance programs, yet HVRP is constrained by regulations conceived in a bygone era of limited homeless veteran services.

Certain realities for veterans have not changed over the past two decades, however. Income supports remain a critical need for veterans searching for and working to remain in permanent housing. While some veterans in the HUD-VASH Program do not actively seek employment due to serious mental illness, chronic substance abuse, physical disabilities or co-occurring disorders, many others need the specialized job preparation, placement and retention services offered by HVRP.

It can take up to 120 days for a veteran who receives a HUD-VASH voucher to secure and move into permanent housing. In theory, this is an ideal opportunity for voucher-holders to become enrolled in the HVRP program. But if the veteran client and his or her case manager have not identified employment services as a priority early in the housing search process, or they are unaware that the veteran is only eligible for HVRP before moving into permanent housing, the opportunity is lost.

The “Housing First” strategy adopted by the federal government under the “Federal Strategic Plan to Prevent and End Homelessness” in June 2010 fundamentally changed the nation’s homeless services delivery landscape. This strategy calls for rapid re-housing of homeless persons and families – including veterans – and waives many of the requirements veterans had to satisfy to participate in the HUD-VASH Program.

As the name Housing First implies, placement in permanent housing as rapidly as possible with sound case management is the top priority, with additional services provided on a case-by-case basis according to client preferences. Considering the multiple challenges faced by veterans eligible for the HUD-VASH Program, the intense focus on successful housing placements can delay or preclude referrals to employment assistance programs.

#### *H.R. 1305 Provides an Immediate Resolution to This Issue*

The permanent supportive housing provided through the HUD-VASH Program does not reduce a veteran’s need for the employment supports provided by HVRP. Helping veterans increase their earning potential and employment security hastens their advancement off the rolls of those who depend on subsidized housing. This, in effect, makes those vouchers available for other veteran families in desperate need of housing assistance.

Knowledge of HVRP is not uniform among HUD-VASH case managers, and there is no mandate in place to ensure that voucher-holders are considered for HVRP enrollment while they are still eligible. Even if these veterans are able to apply in time, local HVRP programs may be operating at capacity, which could prevent them from utilizing this resource or require them to postpone their move into permanent housing until their enrollment is effected.

In light of these possibilities, and to ensure that homeless veterans are able to make full use of the federal assistance available to them, NCHV urges the Subcommittee on Economic Opportunity to help shepherd H.R. 1305 to the president’s desk.

#### **In Summation**

Thank you for the opportunity to submit this Statement for the Record for today’s hearing. It is a privilege to work with the House Committee on Veterans’ Affairs, Subcommittee on Economic Opportunity, to ensure that every veteran in crisis has reasonable access to the employment supports they earned.

#### **Matt Gornick**

NCHV Policy Director  
National Coalition for Homeless Veterans  
333 ½ Pennsylvania Avenue SE  
Washington, DC 20003  
202-546-1969

#### **NCHV Disclosure of Federal Grants**

**Grantor:** U.S. Department of Labor  
**Subagency:** Veterans’ Employment and Training Service  
**Grant/contract amount:** \$350,000  
**Performance period:** 8/13/2012 - 8/12/2013  
**Indirect costs limitations or CAP limitations:** 20% total award  
**Grant/contract award notice provided as part of proposal:** Yes  
**Grantor:** U.S. Department of Labor  
**Subagency:** Veterans’ Employment and Training Service  
**Grant/contract amount:** \$350,000  
**Performance period:** 8/13/2011 - 8/12/2012

**Indirect costs limitations or CAP limitations:** 20% total award  
**Grant/contract award notice provided as part of proposal:** Yes

**Grantor:** U.S. Department of Labor  
**Subagency:** Veterans' Employment and Training Service  
**Grant/contract amount:** \$350,000  
**Performance period:** 8/13/2010 - 8/12/2011  
**Indirect costs limitations or CAP limitations:** 20% total award  
**Grant/contract award notice provided as part of proposal:** Yes

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**VETSFirst**

April 10, 2013

The Honorable Bill Flores  
 Chairman, Economic Opportunity Subcommittee  
 House Committee on Veterans' Affairs  
 Washington, D.C. 20515

The Honorable Mark Takano  
 Ranking Member, Economic Opportunity Subcommittee  
 House Committee on Veterans' Affairs  
 Washington, D.C. 20515

Dear Chairman Flores and Ranking Member Takano:

VetsFirst, a program of United Spinal Association, wishes to express our strong support for the Servicemembers' Choice in Transition Act of 2013 (H.R. 631). We ask that our below comments be submitted for the record of the April 10, 2013, Economic Opportunity Subcommittee hearing on pending legislation.

The Transition Assistance Program (TAP) plays a critical role in ensuring that separating servicemembers have the information they need to prepare for future education and employment opportunities. The content requirements detailed in H.R. 631 will ensure that these men and women receive a well-rounded program that includes the types of information they need throughout their transition process. Requiring information on service-specific pre-separation requirements, different pathways to employment, and the types of benefits available through the Department of Veterans Affairs will provide them with a strong foundation for future success.

Although we fully support, H.R. 631, we believe that it would be strengthened by amending it to ensure that information about disability related employment and education protections is included in the TAP curriculum. Veterans who have acquired disabilities as a result of their military service need a basic understanding of the protections available to them under the law as they return to the workforce or seek out education opportunities. To ensure that this information is received by all those servicemembers who need it, we believe that it should be integrated into the curriculum about preparing for employment or education opportunities. Including this information in the TAP curriculum will provide disabled veterans with the specialized knowledge they need to ensure their success in navigating their future career goals.

Thank you for the opportunity to present our comments regarding H.R. 631. Please do not hesitate to contact Heather Ansley, Vice President of Veterans Policy for VetsFirst, a program of United Spinal Association, at (202) 556-2076, ext. 7702 or by e-mail at [hansley@vetsfirst.org](mailto:hansley@vetsfirst.org), if we can be of assistance.

Sincerely,

Paul J. Tobin  
 President and CEO

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**Gold Star Wives of America, Inc**

Chairmen Flores, Ranking Member Takano and Members of the House Veterans Affairs Committee Economic Opportunity Subcommittee, Gold Star Wives of America, Inc. is grateful for the privilege of presenting testimony for the record on issues pertaining to surviving spouses of our Nation's veterans.

Gold Star Wives of America (GSW), founded in 1945 and Congressionally Chartered in 1980, is an organization of surviving spouses of veterans who died while



serving on active duty or died of a service-connected cause. Current members are survivors of military members who served during World War II, the Korean War, the Vietnam War, the Gulf War, the conflicts in both Iraq and Afghanistan, and every period in between. GSW is an all-volunteer organization encompassing approximately 8,500 members.

GSW's primary mission is to support survivors after the death of their spouse and provide a place for them to connect with each other. GSW also provides information about survivor benefits and assists survivors in obtaining these benefits. We strive to raise the awareness of Congress, the public, the veterans' community and the military community to the many inequities existing in survivor benefit programs.

Recent proposed legislation (H.R. 357 and S.257) requires states to provide in-state tuition rates for Veterans using Federal education benefits. To ensure that Federal education dollars are spent most effectively and efficiently, surviving spouses and dependents using Chapter 35 education benefits should be included in legislation to require that states provide in-state tuition rates. Further, such protections should be extended to all VA Education Chapters.

Gold Star Wives of America has additional concerns regarding VA educational benefits for surviving spouses and children and would welcome the opportunity to discuss them. It is difficult to determine how many surviving spouses of active duty and service-connected deaths are using education benefits because the VA is unwilling or unable to provide that information.