



Legislative Agenda
Adopted by the Association, August 2008
Major Recommendations

- (1) **Recommendation – Work with the Congress, the Department of Veterans Affairs and other stakeholders to identify and enact revisions necessary to maximize the success of the *Post-9/11 Veterans Educational Assistance Act of 2008*.**

Rationale: The new Chapter 33 program is very comprehensive, but it also is complex. It will require a high level of cooperation and collaboration between all partners and stakeholders to achieve maximum success. The Congressional Veterans Affairs Committees, the federal Department of Veterans Affairs, states through State Approving Agencies, educational organizations and educational institutions will need to work closely with each other in order to insure that the planning and implementation phases for the new program to “go online” lead to a program that is operated effectively and efficiently with minimal disruption. Some of this work may result in the need to revise to the new law in order to achieve its intended goals and objectives.

- (2) **Recommendation – Work with the Congress and the Department of Veterans Affairs to establish a process for insuring that funding for State Approving Agencies is commensurate with their role and responsibilities in the administration of the various “GI Bills” and sufficient to enable these state agencies to fully serve the needs of veterans.**

Rationale: Constitutionally based, the primary responsibility of State Approving Agencies (SAAs) is to evaluate and approve programs of education and training. The end result of this work provides veterans and other eligible persons with opportunities to use their GI Bill while pursuing a variety of educational, professional and vocational goals. These opportunities include enrollment in institutional programs, participation in apprenticeship or OJT programs and reimbursement of test fees for licensing or certification. State Approving Agencies also assist the Secretary of Veterans Affairs in conducting outreach activities to encourage greater use of the various GI Bills. Simply put, SAAs are the face of the GI Bills at the state level. They bring life to the programs and are vital to their success.

- (3) **Recommendation – Continue to expand the readjustment purpose of the Veterans’ educational assistance programs to permit continuous training, retraining, re-licensing and enrollment in skill improvement courses. For example, revise Section 3452 (c) of Title 38, U.S. Code to provide for the use of VA educational assistance benefits for enrollment in any unit course or subject, or combination of courses or subjects (Title 38 terminology) necessary to obtain, maintain, or advance in a profession or vocation.**

Rationale: In today’s society the concept of lifelong learning has risen to a new level of importance. Very few occupations or professions remain static; there is the constant requirement for workers to upgrade their knowledge and skills in order to remain competitive. The current educational earned benefit programs for veterans and other eligible persons generally require the VA beneficiary to be enrolled in a full-scale program of education; i.e., one that leads to a traditional degree, diploma or certificate. Although recent legislation provides more flexibility, there is still the need to permit even greater use of benefits for enrollment in short-term learning experiences that will help veterans to maintain a level of expertise commensurate with the on going demands of their chosen occupation or profession. A key phrase that expresses the intent of this recommendation already is embedded in law – education and training that qualifies the eligible person “to enter into, maintain or advance in employment in a predetermined and identified vocation or profession”.

As stated, the law already provides for limited use of benefits for course(s) “to fulfill requirements for the attainment of a license or certificate.....in a high technology occupation”. The specific example expands the provision to all professions and vocations/occupations; recognizes that a single unit course or subject may be all that a veteran needs to obtain, maintain, or advance in a profession or vocation; and, provides for the use of benefits while enrolled in a subject or a combination of subjects without requiring a connection to a license or certificate.

- (4) **Recommendation – Revise the method by which entitlement is charged to service members who use their GI Bill while serving on active duty so that the charge is the same as that applied to all other VA benefit eligible persons.**

Rationale: Service members who use their GI Bill while serving on active duty should not be penalized for doing so. Current law reduces the service member’s entitlement one month for each month of enrollment regardless of the rate of pursuit and benefits received. We believe that this practice is totally unfair and unjustifiable.



Legislative Agenda, Part 2 – Other Recommendations **Adopted By the Association August 2007 (unless otherwise noted)**

- (5) **Recommendation – Revise Section 3014A to allow accelerated payment of basic educational assistance for education leading to employment in industries other than “high technology” and place limitations on the length of such programs for use of the provision. Additionally, revise the section to allow the VA to use only the MGIB “base rate” as the basis for the accelerated payment 200% calculation, not the base rate plus “kickers”, optional contributions, etc., as currently factored into the “otherwise payable benefit”.**

Rationale: Even with the recent increases in the monthly benefit amount, some veterans find it cost prohibitive to enroll in an institutional program that will provide the knowledge and skills necessary for them to reach their occupational or professional objective. Removing the current restriction that requires enrollment in a program that leads to employment in a high technology industry would allow greater opportunities for more veterans to use their GI Bill benefits. Additionally, revise the law to limit the length of a program that qualifies for accelerated payment to two years. The discussions that led up to the enactment of the original legislation centered on short term high technology courses. The language that was enacted does not impose any limitations on length, therefore all high technology programs, including many four year degree programs, qualify.

The recommendation regarding the use of the “base rate” is offered because veterans who take advantage of the \$600.00 buy-in, are 34/30 conversions, have kickers, or any combination of these programs can be penalized by having their additional monthly payment amount disqualify them for accelerated payment under the current calculation method.

- (6) **Recommendation – Revise the period of operation (two year) rule to exempt certain non-degree programs. The programs would be ones that are offered by (1) an accredited, degree granting, proprietary for profit or not for profit educational institution or (2) a degree offering branch of such institutions when the institution has at least one degree program already approved for GI Bill purposes.**

Rationale: The intent of Congress when it revised the period of operation rule in 1996 can be found in several documents issued during 1995 and 1996. The following excerpt taken from the Explanatory Statement on S. 1711, As Amended, summarizes that intent. “*Section 201 of H.R. 3673 would: (a) remove the two year rule restriction on all degree granting institutions, including branch campuses (but not on non-degree granting institutions)..*” Changing the rule in accordance with the Recommendation would affect branch locations since in most, if not all, cases the parent campus will have been in operation for two years before attaining accreditation. The change also would be consistent with the determinations that already have been made about the quality and integrity of the degree programs offered by the institution and the capacity of the institution to fulfill its commitment to students.

- (7) **Recommendation – Revise certain Sections of Title 38, U.S. Code that pertain to Correspondence courses; specifically Section 3672(e) by reducing the six month requirement to complete the program or course to three months, Section 3686(a)(1) by increasing the educational assistance allowance payable from 55 percent to 60 percent of reimbursable costs, and Section 3686(b) by reducing the ten day enrollment affirmation period to five days.**

Rationale: The law governing the administration of correspondence courses was written in a time before there was wide spread use of computers and the internet. Technology is such today that it provides instantaneous interaction between the student and instructor. The need to insure that ample time for ‘mail to arrive’ is no longer a factor. A five day affirmation period and a three month learning experience are both supported by communication standards of the day and in line with the changing learning environments of the 21st Century. Condensed, short term programs of education are offered by various institutions and can fulfill the needs of many veterans as they pursue their occupational or professional goals.

- (8) **Recommendation – Revise Section 3680A(a)(4) by adding a new subpart, “or (C) remedial or deficiency courses required by an accredited institution of higher learning for entrance into one of their approved postsecondary programs of education”.**

The law currently provides for the payment of VA educational assistance benefits for enrollment in remedial and deficiency courses required for successful entrance and completion of a degree, diploma or certificate program of education if required by the postsecondary educational institution in which the veteran is seeking to enroll. These types of courses are currently offered by postsecondary institutions as a traditional classroom experience or through technology as online education. This change would provide veterans with opportunities to use their benefits when enrolled in either delivery mode; online course enrollments are currently prohibited.

- (9) **Recommendation – Revise Section 16162(c)(3) of Chapter 1607 of Title 10, U.S. Code to eliminate the further reduction of benefits for veterans enrolled in flight training and correspondence programs by including the word “not” in the last phrase of the sentence which constitutes the section. [“..., that rate shall not be further adjusted by the applicable percent specified in paragraph (4).”] (This recommendation accepted September 14, 2006)**

Rationale: Under the current wording of the law, a member of the Selected Reserve who is activated and qualifies for the Chapter 1607 program would receive less in GI Bill benefits for flight and correspondence programs than a Chapter 1606 eligible member who is not activated. This is due to the multiple calculations required by Section 16162(c)(3) of Chapter 1607 of Title 10. At a minimum, the law should be revised to the extent that it provides at least the same level of benefits to a Chapter 1607 eligible person as it does for those who qualify for Chapter 1606.

- (10) **Recommendation - Remove veterans’ educational assistance benefits from all calculations for determining eligibility for Title IV, Student Financial Aid.**

Rationale: GI Bill benefits are intended to be an entitlement to which all who serve in the Armed Forces of our Nation are eligible. Moreover, it has always been the intent of Congress that the GI Bill be the premier program in our Nation to help our citizens to further their education and training. Inclusion of GI Bill benefits in any formula for determining the amount of student financial aid available under other federal programs is not consistent with these goals nor the sacrifices made by those who protect the freedoms that we all so thoroughly enjoy.

(11) **Recommendation – Reinstate the Veterans Education Outreach Program.**

Rationale: For many years the Veterans Education Outreach Program (VEOP) and its predecessor, the Veterans Cost of Instruction Program, were very successful in reaching out and providing assistance to veterans. A campus-based program, VEOP helped to inspire and build confidence in those who were hesitant to use their GI Bill educational assistance benefits. External services ranged from general outreach activities such as public service announcements and the production of information documents to participation in local and statewide career fairs. Internal services included career and personal counseling and assistance with the completion of documents associated with the enrollment in a program of education as well as those for the GI Bill benefits for which the veteran was entitled. The Montgomery GI Bill has been in existence since 1985 and although veterans have \$1200 of their own money invested, usage of the program remains relatively low. It is time for this once proven effective program to be reinstated with appropriate provisions to insure its success within the context of its intended purpose so as to maximize the opportunities for cooperation between and contributions by educational institutions, the Department of Veterans Affairs and State Approving Agencies.