

**STATEMENT OF
DAVY LEGHORN, ASSISTANT DIRECTOR
VETERANS EMPLOYMENT AND EDUCATION DIVISION
THE AMERICAN LEGION
BEFORE THE
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
ON
PENDING LEGISLATION**

APRIL 14, 2016

Chairman Wenstrup, Ranking Member Takano, and distinguished members of the subcommittee, on behalf of our National Commander, Dale Barnett, and the more than 2 million members of The American Legion, America's largest wartime veteran's service organization, thank you for this opportunity to testify regarding our position on pending and draft legislation before this subcommittee.

H.R. 748: G.I. Bill STEM Extension Act of 2015

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide additional educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to certain eligible individuals.

The American Legion wants our veterans to succeed and would like to see more veterans enter Science, Technology, Engineering and Math (STEM) fields. Recent studies from the Department of Education has shown that for delayed-start or non-traditional students, such as veterans, it takes close to 6 years to graduate. Considering the shortage of skilled workers with degrees in STEM subjects, this bill would incentivize more veterans to enter a field where there is a critical shortage and high yearly job growth. The American Legion supports this bill that would allow extension of Title 38 education benefits up to nine months.

Resolution No. [312](#)¹: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Learning

The American Legion supports this legislation.

H.R. 2551: Veterans Entry to Apprenticeship Act

To amend title 38, United States Code, to ensure that veterans may attend pre-apprenticeship programs using certain educational assistance provided by the Secretary of Veterans Affairs, and for other purposes.

¹ [Resolution No. 312: "Ensuring the Quality of Servicemembers and Veteran Student's Education at Institutions of Higher Learning"](#) (August 2014)

The American Legion has identified that the GI Bill can be a useful tool to help employers defray the costs of training of veterans by developing an on-the-job training or apprenticeship programs thereby benefiting both the veteran and employer. Which is why The American Legion passed a resolution directly supporting the development of joint projects to enhance apprenticeship opportunities for eligible transitioning Servicemembers through their educational benefits.

Resolution No. [297](#): ²Support The Development Of Veterans On-The-Job Training Opportunities

The American Legion supports this legislation.

H.R. 3286: Honoring Investments in Recruiting and Employment American Military Veterans Act of 2015

To encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, and for other purposes.

Outside of contracting preferences and tax credits, Presidential recognition might go a long way to incentivize non-government contractor businesses to hire veterans. H.R. 3286 is a step in the right direction by rewarding exemplary companies who employ our veterans with a Presidential medallion. This is a low-cost measure that would hopefully spur private industry to hire more veterans and allow the Department of Labor (DOL) to implement a real-time data collection to properly measure veteran's hiring at the local level.

Resolution No. [331](#)³: Support Improvements in the Reporting Programs Available to and Administered by Veterans' Employment and Training Service

The American Legion supports this legislation.

H.R. 3419: Support for Student Veterans with Families Act

To authorize the Secretary of Veterans Affairs to make grants to eligible educational institutions to provide child care services on campus.

The American Legion wants our and all veterans to succeed and would always support measures that assist veterans in obtaining their degree if it is necessary. As a veteran service organization with a broader focus on the wellbeing of veterans, their families and their community, this is a subject of interest to The American Legion and we have started looking into how much childcare

² [Resolution No. 297: "Support The Development of Veterans On-The-Job Training Opportunities"](#) (August 2014)

³ [Resolution No. 331: "Support Improvements in the Reporting Programs Available to and Administered by Veterans' Employment and Training Service"](#) (August 2014)

poses as a barrier to veterans obtaining their degree. The American Legion will share our findings with Congress once we have conducted further analysis of this matter.

The American Legion is looking into this issue.

H.R. 4138

To authorize the Secretary of Veterans Affairs to recoup relocation expenses paid to or on behalf of employees of the Department of Veterans Affairs.

The recent scandal involving senior executives at the Department of Veterans Affairs abusing the travel and relocation system provoked outrage in the veterans' community, including the veterans who make up The American Legion. National Commander Dale Barnett fumed that even their "punishments" (later voided by the Merit Systems Protection Board) did not account for hundreds of thousands of dollars did not amount to harsh consequences for their actions and stated:

"It boggles the mind to see the level of protection VA employees have from their own wrongdoing when the very veterans they are supposed to be serving slip through the cracks, some of whom will sleep on the streets with empty bellies this Thanksgiving."⁴

The American Legion firmly stands behind the intent of full accountability within the VA for those employees, at any level, who transgress against the veterans they serve. In testimony between a joint session of the House and Senate Committees on Veterans Affairs this past February, Commander Barnett posed the question "In service to our country [America's veterans] held up their end of the accountability bargain. How do you think they assess their nation's ability to do the same for their fellow veterans?"

This legislation is aimed at enabling the Secretary of Veterans Affairs to recoup relocation expenses from VA employees under circumstances to be determined by the Secretary. While The American Legion is a staunch supporter of accountability, generally matters of personnel management are left to VA to determine. Because this legislation reaches into the normal pay and benefits system for employees, and relocation expenses are used properly by thousands of well-meaning VA employees for the right reasons, it is important to fully research the matter and develop a resolution with the full backing of the over two million members of The American Legion.

We are interested in continuing to work closely with this Committee, the Senate and VA to fully understand the implications of this legislation and develop a solution that best serves veterans as we work internally with our Legionnaires to develop resolution guidelines that would provide clear direction on this question in the future.

The American Legion is looking into this issue.

³["Legion to VA: 'Demoted officials being rewarded'"](#) – PR Newswire, November 25, 2015

Draft Bill

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

The American Legion recognizes that different groups of people or communities have their own set of challenges. Paths to gainful employment differ greatly from locality to locality. In an effort to provide programs and services to the majority of our veterans, sometimes small pockets of our veteran populations are overlooked. The American Legion has seen and acknowledges what works everywhere else in the country often does not work for our Native American and Insular Veterans.

In the Native American territories, Pacific territories and commonwealths there are very limited jobs. In some places, local and federal government are often the largest employers. These communities need more rural and economic development than they need another veteran with a polished résumé. These communities need our veterans to become local business leaders and to create jobs within their respective communities. The emphasis for veterans going back to these areas should be on entrepreneurship and the agro-eco industry. Our resolution urges Congress to require the Department of Labor to review and update the Transition Assistance Program (TAP) to ensure effectiveness in helping Servicemembers transition into gainful employment. The results from this study would assist DOL in making TAP more relevant and effective for our veterans in marginalized populations.

Resolution No. [94](#)⁵: Improve Transition Assistance Program

The American Legion supports this legislation.

Draft Bill

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to disapprove, for purposes of the educational assistance programs of the Department of Veterans Affairs, courses of education offered by institutions of higher learning determined by the Inspector General to be guilty of deceptive or misleading practices, and for other purposes.

The American Legion believes that veterans are one of our nations true assets, and they should be treated with respect. Ensuring our men and women who proudly served receive their education benefit is crucial to The American Legion. Recently, The American Legion has seen a trend of the Department of Defense (DOD) and Veteran Affairs (VA) enforcing punitive measures on institutions of higher learning that have employed deceptive or misleading marketing practices to swindle veterans out of their earned educational benefits and award them with worthless degrees.

The American Legion applauds the VA, DOD and this Committee on moving forward in making a veterans search for post-secondary education less of a minefield. This bill will enable the VA

⁵ [Resolution No. 94: "Improve Transition Assistance Program"](#) (August 2015)

to be proactive and weed out the bad-actors who pose as barriers to our veterans in obtaining their degrees. Further, this bill will improve the quality of education available to veterans, ensure the maximum usage of the Post-9/11 GI Bill and increase the success rate the veteran student.

Resolution No. [312](#)⁶: Ensuring the Quality of Servicemember and Veteran Student’s Education at Institutions of Higher Learning

The American Legion supports this draft legislation.

Draft Bill

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

While The American Legion supports this effort to improve the administration of the Post-9/11 GI Bill and reduce the occurrence of overpayments, we would like to offer one caveat regarding Section 6.

The American Legion does not believe a student enrolls in a college course with the intention of dropping it later for secondary gain. Extenuating circumstances are often the reasons for courses being dropped. For the students attending college full-time, their rent and living expenses are not reduced when they drop a course. Reducing their benefits in this instance might result in these students having to drop out of school and will cause more problems than this proposed legislation intends to solve. While all full-time students will be affected, the full-time students at brick and mortar schools stand to lose the most with this change. The American Legion would like to see some protections for these full-time students who become part-time students in response to extenuating circumstances.

Resolution No. [312](#)⁷: Ensuring the Quality of Servicemember and Veteran Student’s Education at Institutions of Higher Learning

The American Legion supports this draft legislation, with some reservations to Section 6.

⁶ [Resolution No. 312: “Ensuring the Quality of Servicemembers and Veteran Student’s Education at Institutions of Higher Learning”](#) (August 2014)

⁷ [Resolution No. 312: “Ensuring the Quality of Servicemember and Veteran Student’s Education at Institutions of Higher Learning”](#) (August 2014)

Draft Bill

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes.

This bill would allow the Vet-Success program under VA's Office of Economic Opportunity to become permanent and require an annual report to be shared with Congress regarding programmatic progress. The data collected will allow VA to direct and improve the services currently administered on college campuses and hopefully result in higher graduation rates for our veterans.

Resolution No. [312](#)⁸: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Learning

The American Legion supports this draft legislation.

Conclusion

Chairman Wenstrup, Ranking Member Takano, and distinguished members of the subcommittee, The American Legion thanks you and this subcommittee for the opportunity to explain the position of the more than 2 million veteran members of America's largest wartime veteran's service organization.

For additional information regarding this testimony, please contact Mr. Matthew Shuman at The American Legion's Legislative Division at (202) 861-2700 or Mshuman@legion.org

⁸ [Resolution No. 312: "Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Learning"](#) (August 2014)