

**STATEMENT OF  
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DEPARTMENT OF VETERANS AFFAIRS**

**BEFORE THE  
HOUSE COMMITTEE ON VETERANS' AFFAIRS  
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY**

**July 18, 2018**

Good afternoon, Chairman Arrington, Ranking Member O'Rourke, and other Members of the Subcommittee. I am Robert M. Worley II, Director of Education Service, and I am pleased to be here with you today to discuss the implementation of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Colmery Act) or, as it's more commonly referred to, the Forever GI Bill. Accompanying me today are Mrs. Charmain Bogue, Deputy Director, Education Service, VBA; Mr. Lloyd Thrower, Account Manager, Benefits Portfolio, Office of Information & Technology (OI&T); and Mr. Daniel McCune, Executive Director, Enterprise Portfolio Management Division, OI&T.

**Colmery Act**

Since the passage of the Colmery Act on August 16, 2017, VA has diligently set out to implement the law with special consideration to the intent of the Congress and the great impact the provisions have on our Nation's Veterans. The Forever GI Bill has 34 provisions, 31 of which affect education benefits. These provisions transform how VA delivers education benefits, while ensuring that the GI Bill keeps pace with the demands of our Nation's economy and remains valuable to Veterans, Servicemembers, and their dependents. This is clearly seen in VA's new authority to restore entitlement to those affected by a school closure; the Science, Technology, Engineering, and Math (STEM) scholarship; and the Veteran Employment through Technology Education Courses (VET TEC) Pilot program, which makes coding and programming boot camps available to GI Bill-eligible Veterans.

As noted in our testimony for the House Veterans' Affairs Economic Opportunity Subcommittee hearing on the implementation of the Forever GI Bill that was held on December 12, 2017, VA established a Program Executive Office (PEO) to monitor and coordinate all Forever GI Bill implementation activities. The PEO consists of 12 full-time employees and 29 contractors and closely collaborates with internal partners to include: General Counsel, the Office of Business Process Integration, Resource Management, Congressional and Legislative Affairs, Human Resources, Performance Analysis and Integrity, Corporate Communications, Vocational Rehabilitation and Employment, Compensation Service, and OI&T. These offices have been instrumental in the implementation effort thus far and will continue to play a key role as we approach the August 1, 2018, milestone, the effective date for a number of the provisions.

## **Date-of-Enactment Provisions**

VA has implemented the provisions that were effective on the date of the law's enactment. Since the November notification to nearly 8,000 beneficiaries who may have been impacted by a school closure or program disapproval and may have been eligible for restoration of entitlement under the Special Application provision in section 109, VA has restored over 11,000 months of entitlement to 1,070 beneficiaries. VA has consistently received between 40 and 60 applications each week since sending the initial notification, and VA has completed two follow-ups via emails, letters, and phone calls to encourage individuals to apply. To better understand why some may not be interested in submitting an application for restoration, VA selected a statistically valid sample size of 400 files to review and determined that approximately 25 percent of these individuals had either already graduated or transferred credits to a different school, making them ineligible for restoration. VA then attempted to contact the remaining individuals by phone and found more than 75 percent intend to apply, but are not prepared to return to school. As there is no deadline to request restoration, VA is confident that the steady rate of applications will continue into the future.

In January 2018, VA contacted nearly 3,200 Veterans who may have lost their Reserve Educational Assistance Program eligibility due to the program's sunset. This notification informed individuals that they may now have the option to make an irrevocable election under section 106 to have their eligible active-duty service periods used to establish Post-9/11 GI Bill eligibility. A recent file review of a representative sample from this group found that over half this population already established eligibility for Chapter 33 benefits, which means that, for many, no action is necessary.

Section 112 of the Colmery Act removes the 15-year time limitation to use the Post-9/11 GI Bill benefit, which impacts more than 635,000 Veterans. In February 2018, VA emailed approximately 600,000 of these individuals and sent paper mail to the remaining beneficiaries informing them that VA was working on system changes to update automated letters and that they may no longer have a time limit to use their Post-9/11 GI Bill benefits.

In April 2018, OI&T and Education Service worked to deliver those system changes and modified automated letters to accurately reflect the removal of the 15-year month time limitation to use the GI Bill benefit. Education Service took additional steps in the interim and properly notified those impacted.

The Colmery Act has been especially important for Veterans, Servicemembers, and dependents, but there are also several provisions that aid State Approving Agencies (SAA) as they work on behalf of VA and its beneficiaries. VA allocated \$21,000,000 for SAAs in fiscal year (FY) 2018 and is planning to allocate \$23,000,000, plus the COLA of \$552,000 as specified in the law, for FY 2019. VA and the National Association of State Approving Agencies established a working group to develop and enhance the risk-based compliance surveys conducted by SAAs. The group meets regularly and has developed an initial list of risk measures. VA also notified SAAs that they may approve accredited independent study programs at certain educational

institutions that are not institutions of higher learning, like career and technical education schools, in accordance with section 302.

VA submitted its initial implementation strategy to achieve full claims automation to Congress in May 2018, and is preparing to provide an update on this plan in August. The initial student progress report due date in section 114 was extended to March 1, 2019, so that additional months of data could be provided in the report. VA thanks the Committee for its consideration in extending this deadline. VA appreciates the extended authorization of the Veterans Advisory Committee on Education until 2022 in section 306.

Several provisions improve the student Veteran's experience, like the permanent authorization of work-study, which provides additional educational allowance assistance to students performing Veteran-centric activities including providing outreach services for SAAs. The codification in section 309 of VA policy giving School Certifying Officials (SCO) additional flexibility to certify courses that begin seven or fewer days after the first day of the academic year assists SCOs in their efforts to seamlessly administer the GI Bill. To provide information on whether schools offer priority enrollment to Veterans, Education Service has instructed institutions to provide this information to a centralized team in Buffalo. These data will soon be available on the GI Bill Comparison Tool.

### **August 1, 2018, Provisions**

VA has worked tirelessly since the Act was signed into law to ensure an on-time implementation of all provisions. VA is anticipating implementation of Sections 107 and 501 by August 1, 2018—which have the widest impact on beneficiaries—and several other provisions that expand and enhance access to VA educational benefits. Many of these provisions will be implemented with an interim solution concurrent with the decommissioning effort of the 50-year-old Benefits Delivery Network. This will provide VA more modern technology on whether to make changes, or pursue alternative service offerings.

VA has collaborated with the Department of Defense (DoD) on implementing the provisions that expand qualifying service for the Post-9/11 GI Bill. The new qualifying service types include service as a result of orders under 10 United States Code § 12301(h), which involves orders of members of a reserve component to active duty to receive medical care, and orders under section 12304a and 12304b, which are used in response to major disasters or pre-planned missions in support of combatant commands. For both, the Defense Management Data Center has made this service available to view in the Veteran Information Solution so that VA staff can properly process claims for those eligible. Similarly, VA has worked closely with its DoD partners to identify Purple Heart recipients, so that those who meet the criteria in the Colmery Act to receive full benefits are aware of this new eligibility and aware that they are now covered under the Yellow Ribbon program. Fry Scholarship recipients are also now covered under Yellow Ribbon, which requires VA to implement a manual workaround and job aid to allow these claims to be properly processed on time.

There also has been extensive work with DoD to revise business processes and procedures as they relate to the transfer of benefits entitlement related to the death of a Veteran/Servicemember and for entitlement transfers related to the death of the originally designated dependent, as authorized under section 110. VA expects that the additional opportunities to transfer Post-9/11 GI Bill entitlement will be welcomed by Veterans and their families. To ease the burden on those seeking to conduct a transfer, in most instances, the transfer will be conducted through milConnect. In the event of a Veteran or Servicemember's death, an eligible dependent will be able to contact VA to request a transfer.

The Colmery Act includes measures that maximize a student Veteran's educational benefit. A beneficiary will no longer be charged an entire month of entitlement when requesting payment for fees associated with licensing, certificates, or national tests. Instead, the entitlement charge will be prorated to the amount of the actual cost of the test. Reservists will no longer lose a full month of monthly housing allowance (MHA) when called to Active Duty. VA will pay MHA for every day the student is not on Active Duty, which offers these individuals financial stability and balance as they manage both their call to serve our country and their personal educational goals. VA has developed job aids for its field personnel to calculate the proper entitlement charge or MHA payment until permanent information technology (IT) solutions are put in place.

VA is preparing communications to educational institutions regarding the increase in the Annual Reporting Fee (ARF) and guidance restricting institutions with more than 100 education benefit enrollees from merging the ARF funds with the institutions' general fund. These monies are to be used to support certification and Veterans program activities, and VA will incorporate such checks as necessary in its compliance functions. VA is also designing new and more comprehensive SCO training and plans to implement a two-phased approach. The initial focus will be on ensuring that new SCOs, defined as those with less than 1 year of experience, complete VA's training. The second phase will expand training opportunities and institute certification and continuing education programs for all SCOs. To support a student's ability to opt out of providing entitlement information to his or her school in accordance with section 308, VA developed a new form that can be submitted electronically and included an opt-out option on all education benefit forms.

VA provided instructions in a procedural advisory to inform employees of the reduction in entitlement from 45 to 36 months, as required by section 202, for the Survivors' and Dependents' Educational Assistance (DEA) Program. VA is also incorporating messaging on the substantial increase in DEA payments required by section 203 that takes effect on October 1, 2018, so that participants are well informed of these changes.

Today, Education Service and OI&T are faced with an even greater challenge in providing an IT solution for sections 107 and 501, which change the way VA pays monthly housing stipends by aligning payments to the location where students physically attend the majority of their classes and removing the reduction exemption on GI Bill stipends.

To deliver a complete and fully responsive IT solution for these sections, OI&T must significantly alter the rules engine that powers automation in Long Term Solution, install the proper MHA rate tables in the Web Enabled Approval Management System, and modify the user interface in VA's Online Certification Enrollment (VA-ONCE) to collect the necessary data to pay the student's correct MHA. This is a labor and resource-intensive effort with tremendous technical interdependencies and risks to complete by August 1, 2018.

With respect to section 107, after careful consideration and input from a variety of internal and external parties, including representatives from impacted educational institutions and Congressional stakeholders, VA has determined that it will interpret the term "campus" to include, "Any internship, externship, practicum or student teaching site." This definition provides a measure of equity for all students in administering their MHA based on the "physical" location where the student is participating in the majority of his or her classes.

VA is undertaking a robust and multimodal communications effort to minimize disruption to both students and educational institutions ahead of the August 1, 2018, effective date. VA held two in-person and virtual focus groups with representatives from educational institutions, SAAs, Veteran Service Organizations (VSO), other Federal agencies, and school officials from various VA-approved training providers to provide information and garner feedback on its implementation plan. On March 14 and June 12, 2018, Education Service held webinars featuring a wide-ranging presentation and scenario overview of section 107 to thousands of SCOs. VA staff have attended and presented at almost half a dozen regional SCO conferences and will continue to seek out these opportunities to ensure that those impacted by section 107 are well informed.

Additionally, in early April 2018, Education Service coordinated an email campaign to notify SCOs and their leadership on what to do with post-August 1st enrollments, specifically instructing them not to submit certifications if a student is attending courses in a location other than the one represented by the facility code known to VA.

This action is intended to reduce the level of effort required by schools when VA's IT solution goes live this month. This campaign also contained notifications to VSOs, SAAs, and Congressional stakeholders, and updated messaging on VA ONCE.

While schools will be required to report ZIP codes of the locations where students are physically participating in a majority of their classes for courses that begin on or after August 1, 2018, schools will have until August 2019 to update their school catalogs to reflect the different training locations and courses that are located in a different ZIP code from their main, branch, or extension campus. This decision is to give both VA and schools an opportunity to adjust to this change and better study how it is operationalized and administered. VA will continue to review and solicit feedback on section 107 to ensure that its policies and procedures properly protect the Government and taxpayers' interests while providing sufficient controls.

Testing is currently under way, and OI&T is targeting to go live with the system changes for sections 107 and 501 by August 1.

## **Communications**

VA takes seriously its role in communicating and promoting the changes and impact the Forever GI Bill has made to Veterans, Servicemembers, and their families. Since the law's enactment, it has continuously sought out new avenues and opportunities to inform the public and is now fully engaged in a communications campaign on the August 1 provisions.

SCOs are a critical link between VA and its beneficiaries. SCOs' understanding and knowledge of the Forever GI Bill only heighten student Veterans' awareness and aid in preventing confusion or misinformation regarding the law. VA has presented at SCO training conferences in Texas, Florida, Georgia, Missouri, and Puerto Rico, provided detailed overviews during multiple SCO webinars reaching thousands of SCOs, and is planning additional webinars with SCOs on more targeted parts of the law soon.

VA has also attended and briefed audiences on the Forever GI Bill at the Council of College and Military Educators Conference, at Teach for America, the Departments of State and Defense, and the National Association of County Veterans Service Officers Annual Conference. In the coming months, VA will be at the National Guard Association of the United States General Conference, the Enlisted Association of the National Guard of the United States Annual Conference, and the National Association of the State Approving Agencies Conference.

These events are just a snapshot of the outreach VA has done and plans to do. To maintain its presence and attend as many events as possible, VA recently welcomed its first cohort of Forever GI Bill Ambassadors. These ambassadors are located nationwide and are authorities on the Forever GI Bill. They are prepared to perform outreach to groups small and large and welcome the opportunity to speak at events in your district so that your constituents can ask questions about the GI Bill on the spot.

VSOs are helping VA amplify the Forever GI Bill message through regular communication touchpoints, including quarterly briefings, promoting certain provisions like Priority Enrollment, and coordinating social media experiences like the Facebook Live event hosted by the National Military Family Association and a recent Twitter "Take Over" done in collaboration with Student Veterans of America celebrating the 74<sup>th</sup> Anniversary of the GI Bill. Additionally, I interviewed with *The American Veteran*, a web-based VA news program for VA and DoD, and I participated in an online question-and-answer session hosted by RallyPoint for Veterans interested in the law.

VA has published extensive information and details on the Forever GI Bill on its website, to include frequently asked questions, easy-to-understand infographics, and accurate content. On Facebook and Twitter, VA posts content on specific provisions and interacts with beneficiaries to provide additional information and answer questions daily. To further round out our online presence, VA has created a series of short videos

on the Forever GI Bill, with the intention to pique the viewers' interest, so that they may be inclined to contact VA or seek additional information on their benefits.

With this momentum, VA hopes that it will have reached as wide an audience as possible and will remain focused and steadfast on achieving this goal so that all Veterans, Servicemembers, and their families are up to date on the GI Bill.

### **Looking Ahead**

The August 1, 2018, milestone brings VA closer to fully implementing the Forever GI Bill, but there is still considerable work remaining. Through FY 2019, permanent IT solutions will need to be implemented for 19 provisions. Also, VA will be launching two programs, the STEM Scholarship and the VET TEC Pilot Program, two of the law's most unique and consequential provisions. VA expects to begin administering the VET TEC Pilot in early 2019. Effective August 1, 2019, VA will be able to offer additional educational assistance to beneficiaries pursuing degrees in a STEM program. VA will work closely with SAAs and other partners to ensure that proper oversight and consideration are given to programs in receipt of these additional funds.

Mr. Chairman, this concludes my statement. Thank you for the opportunity to testify before the Committee today. We look forward to responding to any questions from you and Members of the Committee.