



Student Veterans of America
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TESTIMONY OF
STUDENT VETERANS OF AMERICA

BEFORE THE

SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
OF THE
COMMITTEE ON VETERANS' AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

LEGISLATIVE HEARING ON THE TOPICS OF:
"A CONTINUED REVIEW OF GI BILL PAYMENT DELAYS"

November 15, 2018



Chairman Arrington, Ranking Member O'Rourke and Members of the Committee:

Thank you for inviting Student Veterans of America (SVA) to submit our testimony on the delayed and inaccurate GI Bill payment delays experienced this semester.

With more than 1,500 chapters representing nearly one million student veterans and military-connected students using VA benefits in schools across the country, we are pleased to share the perspective and recommendations for the path forward for those directly impacted by such delays.

Established in 2008, SVA has grown to become the largest student-centric, chapter-based organization in higher education and the third largest veteran service organization, a force and voice for the interests of veterans in higher education. With a myriad of programs supporting their success, rigorous research on student veteran outcomes, and ways to improve the higher education landscape, and advocacy throughout the nation. We place the student veteran at the top of our organizational pyramid. As the future leaders of this country, and some of the most successful students in higher education, fostering the success of veterans in school is paramount to their preparation for productive and impactful lives.¹

Edward Everett, our nation's 20th Secretary of State, and the former President of Harvard University was famously quoted as stating, "Education is a better safeguard of liberty than a standing army." While we have the finest military the world has ever known, the sentiment remains; the importance of education to our country's national security continues to be critical. Ensuring the success of student veterans on campus must first start with ensuring they have reliable and timely access to their earned education benefits. As we have seen, that is a challenge for some this past semester and we appreciate your continued attention to the issue.

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Background

The *Harry W. Colmery Educational Assistance Act*, more commonly known as the Forever GI Bill, was signed into law in August of 2017 and created the largest expansion of education benefits for veterans in nearly a decade.² Since passage, the Department of Veterans Affairs (VA) has successfully implemented the majority of the Forever GI Bill's provisions. Unfortunately, those successes are being overshadowed by recent IT failings on two of the provisions, which created a larger than normal backlog of claims this semester and has left some students facing financial hardships as they wait for payments.

The Forever GI Bill included provisions aimed at addressing inequities in the Monthly Housing Allowance (MHA) students receive. These changes require significant modifications to existing Education Service IT systems, but nearly three and a half months past the implementation date of August 1, 2018, and as of the writing of this testimony, those changes have yet to be implemented.³

In response to a March 2018 focus group outlining VA's plan to use zip codes to calculate campus-based MHA rates as required by section 107 of the law, SVA raised concerns in an April letter with the planned strategy and the potential roadblocks we saw with VA's plans. Our concerns centered around the use of zip codes to define

¹ Shane, Leo. *Military Times. Report: Young vets are more successful than their civilian peers.* July 29, 2017.

<https://www.militarytimes.com/veterans/2017/07/29/report-young-vets-are-more-successful-than-their-civilian-peers/>

² Harry W. Colmery Veterans Education Assistance Act of 2017 §108. Pub. L. 115-48. (2017). <https://www.congress.gov/bill/115th-congress/house-bill/3218>.

³ Student Veterans of America. VSO Response to Forever GI Bill IT Delays. https://studentveterans.org/images/pdf/will/Forever-GI-Bill-Delays_VSO-Letter-.pdf



campus location instead of existing Department of Education coding mechanisms and the unintended consequences that could create.⁴

As late as a July 2018 hearing before this Committee, there was a reassurance by VA that the IT updates needed to implement the MHA changes would be ready soon, and therefore School Certifying Officials were initially directed to wait to submit certification until the IT updates were implemented. However, by early August it became clear VA would not only miss the Forever GI Bill implementation deadlines because of continued IT challenges, but routine updates to MHA calculations – such as cost-of-living adjustments – would also not be calculated for Fall semester payments leading to inaccurate or significantly delayed payments. Only after SVA alongside other VSOs made clear the urgency of proceeding with certification and communicating the direction to proceed did VA make those communications, as detailed below.

Beginning in September, SVA began to hear from student veterans that MHA payments were missing or inaccurate. On September 14, SVA along with fourteen other Veteran Service Organizations (VSOs) wrote VA to express our disappointment and concern over the continued IT failures and the lack of transparent communication on the issue to students and stakeholders.⁵ By mid-October, VA sent letters and emails to all GI Bill users, issued several statements online, and took internal steps to address the backlog.⁶ Throughout this process and per VA's guidance SVA has and will continue to encourage all student veterans with questions about their claim, or in need of immediate financial assistance, to contact VA directly, particularly where hardship will be incurred as a result of delays. Importantly, these hardships may include student veterans missing payments on bills which are due, utility disconnections, and even evictions (and possibly homelessness), which may all have long-term impacts to the student veterans' credit reports, and therefore ability to finance education beyond the GI Bill or even impact their career opportunities. Further, these hardships may impact family financial stability, and could even impact student veterans' overall well-being and mental health as a result of experiencing severe financial stress, which could in turn impact other VA departments by creating additional demand for programs and services.

Additionally, delay in providing direction to submit certifications reduced the ability of School Certifying Officials (SCOs) to meet their own workloads, in particular at colleges and universities that were understaffed from recommended levels of SCO-to-student veteran ratios. VA cannot process timely certifications that are not received timely, but SCOs could not submit the volume of certifications that were delayed until guidance to submit was received, compounding the challenge faced by student veterans in delay receiving their MHA. Further, while colleges and universities have largely allowed student veterans to continue in classes even absent payment of tuition, it is not clear that they allowed or will allow timely enrollment and registration for spring semester classes.

We acknowledge VA recently implemented several policies to adjudicate its oldest claims and increased the total number of claims processing staff to address the backlog in recent weeks, but we remain concerned about the delayed reaction to the situation, limited transparency and communication to stakeholders at the onset of the issue, and continued IT infrastructure and leadership concerns that could potentially lead to similar issues in future semesters or updates to the Post-9/11 GI Bill. To that end, as the two leading organizations specifically dedicated to empowering student veterans SVA and Veterans Education Success, along with similar support from other VSOs as outlined in their own testimonies, propose the recommendations below to prevent similar situations from happening in the future.

⁴ Student Veterans of America. SVA Response to VA's Campus Definition. <https://studentveterans.org/images/pdf/will/SVA-Response-to-VAs-Campus-Definition.pdf>

⁵ Student Veterans of America. VSO Response to Forever GI Bill IT Delays. https://studentveterans.org/images/pdf/will/Forever-GI-Bill-Delays_VSO-Letter-.pdf INSERT DATE

⁶ U.S. Department of Veterans Affairs, Veterans Benefits Administration. Education and Training. <https://www.benefits.va.gov/gibill/>



Communication Recommendations

SVA's chief concern, and recommendation moving forward, is to provide more consistent and transparent communication to students, school leadership, school staff, and stakeholders working alongside students during dynamic situations such as these delays. It is important VA acknowledge potential issues and proactively communicate those issues and ways to address them in a timely manner so that students, schools, and other stakeholders can make informed decisions about their education and finances.

Communicate to the right audiences. VA initially communicated the proposed zip code changes and subsequent IT challenges to School Certifying Officials (SCOs), but key people at the institutional level were left out of the communication channels, namely school leadership. The SCOs on campus are the front-line of interaction between student veterans, schools, and VA, but many schools need leadership to be aware of such sweeping IT changes since they may require updates to school-specific systems as well. Having information on the IT changes and IT challenges sent directly to all university presidents and provosts would have helped facilitate faster and more robust responses from schools themselves. Schools staff SCO duties based on normal and expected processing times, availability to process claim at a certain volume and in certain date ranges, and changes to their workload may require school leadership to intervene, including by providing necessary staff and/or overtime resources. Additionally, some schools have the ability to assist students facing financial hardships and ensure leniency is provided on delayed tuition payments, but if leadership is not made aware of potential challenges they cannot effectively provide assistance, nor plan effectively for increased volume of need.

For students, the first post on the VA's Education and Training website about longer than normal wait times is dated October 10; and while the post provides information on how a student can make VA aware of a financial hardship it is posted nearly six-weeks after the start of the average Fall semester, potentially impacting housing payments (rent or mortgages) for two months, as well as other household expenses they depend on MHA to pay.⁷ Not communicating directly with students about the reality of why their claim is taking longer than normal can make it difficult for students and families to make informed financial decisions or to seek emergency aid.

Communicate timely and proactively. The IT challenges VA is experiencing were known as early as late July 2018, but again, the first notice of the issue was not cited on the Education and Training website until October 10 2018, marking a significant amount of time between knowing there was an issue and sharing widely the issue existed.⁸ Many of the same challenges presented by not communicating with all the right audiences holds true for challenges with not proactively and timely communicating those issues. Schools do not know if students may need additional financial assistance or may not understand why tuition payments are delayed; students may not be able to properly prepare their personal finances to fully provide for themselves until MHA payments are sent. Given the demographics of the student veteran population, many of whom have dependents, MHA payments are heavily relied upon for daily living expenses and great care and respect should be given to communicating any issue with payments well in advance of the issue or as soon as an issue is known.⁹ These are earned benefits being used to empower veterans and their families through higher education, we must do better to inform all involved when those benefits may not be distributed as expected.

Communicating with transparency. The potential for delayed payments because of a backlog was not communicated with much transparency early in the semester, even though the issue should have been obvious given the surge of claims in early August 2018. Further, it was first communicated that students would see inaccurate payments, but that all students would be paid and there was no concern raised about significantly

⁷ U.S. Department of Veterans Affairs, Veterans Benefits Administration. Education and Training. <https://www.benefits.va.gov/gibill/>

⁸ *Id.*

⁹ Student Veterans of America. "Results from the 2016 SVA Census Survey: Student Veteran General Breakdowns". December 7, 2016. <https://studentveterans.org/images/pdf/2016-SVA-Census-Survey-Student-Veteran-General-Breakdowns-120716.pdf>.



delayed MHA payments. That sentiment was even reassured to the Senate Committee on Veterans Affairs (SVAC) by the VA Secretary in September 2018.¹⁰ However, we now know that is not the case.

Again, students should be made aware of potential delays or shortcomings in their MHA payments before they make financial decisions, not several weeks or months after starting a new semester. By not being wholly forthcoming about the potential for delays and inaccurate payments, students have the potential to face unnecessary financial hardships and barriers to success on campus. Additionally, and to reiterate the communication recommendations already stated, if school leadership and student veterans are not made fully aware of payment issues they cannot coordinate a meaningful response or plan-of-action on their own campuses.

Owning mistakes and missed opportunities is difficult, and VA has done more in recent weeks to share what is happening and what students can do to address hardships, but when we remember these payments are how people pay for food, rent, and general living expenses we must do a better job of communicating the issues with full transparency as soon as they are known.¹¹

Next Steps Recommendations

Immediately Process Any Remaining Cases of Nonpayment. While VA has made efforts to reduce the GI Bill claims backlog in recent weeks, any outstanding claims or instances of nonpayment must be processed and paid as soon as possible and prioritized above all other work. This recommendation goes without saying, but it is still important to note.

Begin Processing and Communicating the Plan for Spring 2019 Semester. What we have seen unfold over the last five months cannot be repeated again, and especially during the upcoming Spring semester. VA must begin widely communicating the plan for submitting and processing claims for the Spring 2019 semester to schools and students. Submitting these claims should not be held up, again, for an IT system that is not projected to function properly with sufficient time to train SCOs, notify school leadership, and timely submit claims to prevent a second backlog. We are quickly approaching the normal time schools begin processing Spring semester enrollments, we cannot repeat the missteps of last summer. The time to act on making decisions for the Spring 2019 semester is now, we need strong and communicative leadership more than ever on this specific issue.

Maintain Mandatory Overtime. Since there are ongoing IT challenges and a series of processing requirements on the horizon, additional man-hours will still be needed to try and prevent a significant backlog during the Spring 2019 semester. This will be especially important as VA considers how to process both Spring 2019 semester claims and how to rectify improper Fall 2018 semester payments.

Make Fall 2018 Semester Payments Whole and Accurate. Since general updates to MHA rates and the sections pertaining to MHA in the Forever GI Bill were not implemented by the August 1, 2018 deadline, most students received inaccurate MHA payments for the Fall semester. VA has previously stated making these payments whole while not penalizing overpayments will occur. That must remain true, communicated routinely to schools and students, and be completed in a judicious manner once the IT system allows for an accurate understanding of who is impacted and what specific dollar amounts are needed to make students' payments whole.

¹⁰ Wilkie, Robert. Testimony for Hearing on the Topic of "The State of the VA: A 60 Day Report." September 26, 2018, Senate Committee on Veterans' Affairs, <https://www.veterans.senate.gov/hearings/the-state-of-the-va-a-60-day-report>.

¹¹ *Id.*



Address Lagging IT Infrastructure. Antiquated VA IT systems causing modern-day challenges is nothing new. From health care to disability compensation claims processing and now upgrades to Education Service's IT systems, the consistent dependency on outdated programming creates a ripple effect of consequences at the expense of veterans' timely and dependable access to earned benefits. As we approach the end of the second decade in the twenty-first century, the time is long past due to address this systemic issue. In short, it seems we have run out of IT Band-Aids; VA Education Service platforms are in desperate need for a system that can adapt and change with the modern landscape.

To see such sweeping changes a minimum of two things must happen: One, we need Congress to provide sufficient appropriations, especially for provisions like the IT funds in the Forever GI Bill that have been authorized, and two, we need the VA Secretary to take a continued interest in this issue and make it a stated priority when discussing modernization efforts. Specifically, for Congress, there is a need to go beyond oversight on this issue and tackle the looming and difficult task of discussing the true modernization of IT functions for VA Education Service. For the VA Secretary, we ask he add "and GI Bill" when discussing his modernization priorities.¹² It seems like a simple request, but when it is left out of the conversation and the only things routinely heard revolve around modernization of IT systems for health care delivery and disability claims, it can easily become out of sight, out of mind. We know this is an important modernization effort for the VA Secretary and by publicly adding "and GI Bill" to his list of modernization priorities it will ensure the message is heard and carried out at all levels of VA and the community supporting VA. We know this Committee and the VA Secretary can take on these challenges; we look forward to working together to find a resolution to this perennial problem.

Feasibility on Batch Payments. The Department of Education processes payments to schools prior to the start of the semester based on historical enrollment data from previous years. It is an effective process that allows schools and ED to operate without jeopardizing the financial situation of schools or students. We suggest studying the feasibility of incorporating lessons learned from the Department of Education and its use of batch payments as a potential way of alleviating some of the front-end work VA must do to certify both MHA payments and tuition payments. We acknowledge there are foundational differences between how the Department of Education and VA function, but greater cross-agency communication and collaboration can still provide valuable insight.

In the meantime, we want to thank the House of Representatives for passing the *SIT-REP Act*, which would require schools to adopt policies that do not penalize students for VA's delayed tuition payments.¹³ While the burden of delayed payments should not fall on the schools either and should be addressed at the VA level directly, this bill will at least ensure students are not left feeling the consequences of bureaucratic red tape. We urge the Senate to pass this bill before adjourning in December.

Provide Students Accurate Benefits Information. Equipping students with access to near real-time information on the status of their claim and any potential roadblocks to timely processing of their claim would help alleviate much of the confusion experienced over the last few months. Additionally, creating a simple monthly statement of benefits breaking down the various types of payments sent to schools and students, similar to a paystub, would help students understand their education benefits holistically.

Appropriate Staffing and Leadership Continuity. In addition to the infrastructure challenges caused by an aged VA IT system, we also have concern over the leadership team at VA's Information and Technology office being in flux for some time now. VA is committed to taking on an aggressive IT overhaul of many business lines in the next few years, we strongly believe the Education Service systems should be included in that overhaul, but there must be

¹² Wilkie, Robert. Testimony for Hearing on the Topic of "The State of the VA: A 60 Day Report." September 26, 2018, Senate Committee on Veterans' Affairs, <https://www.veterans.senate.gov/hearings/the-state-of-the-va-a-60-day-report>.

¹³ Servicemembers Improved Transition through Reforms for Ensuring Progress Act, H.R. 4830, 115th Congress. (2018) <https://www.congress.gov/bills/115/congress-house-bill/4830?q=%7B%22search%22%3A%5B%22SIT-REP%22%5D%7D&r=1>.



someone at the helm capable of leading that change, committed to seeing it through, and provided sufficient resources to do so. Congress arguably plays the most important part in enabling or inhibiting the necessary changes on this issue. To start, the Senate has yet to confirm a nominee for the Assistant Secretary for Information and Technology and should do so before the end of this Congress.¹⁴

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The success of veterans in higher education is no mistake or coincidence. Research consistently demonstrates this unique population of non-traditional students is far outpacing their peers in many measures of academic performance.¹⁵ Further, this success in higher education begets success in careers, in communities, and promotes family financial stability, holistic well-being, and provides the all-volunteer force with powerful tools for recruitment and retention. At our 10th annual national conference in 2018, the President and CEO of SVA, Jared Lyon, shared the story behind the quote on our anniversary challenge coin, “Some attribute the following text to Thucydides and others note that it’s a paraphrase of a book written by Sir William Francis Butler from the late 1800’s. The reality, either way, rings as true today as it ever has, and the phrase goes like this, ‘The nation that makes a great distinction between its scholars and its warriors will have its thinking done by cowards and its fighting done by fools.’”¹⁶

Supporting that success is paramount, and it starts with providing necessary resources and abilities at VA to successfully manage education benefits. If we do not have sufficient attention to and prioritization of education benefits by VA we will continue to see issues like these arise.

We thank the Chairman, Ranking Member, and the Committee members for your time, attention, and devotion to the cause of veterans in higher education. As always, we welcome your feedback and questions, and we look forward to continuing to work with this Committee, the House Veterans’ Affairs Committee, and the entire Congress to ensure the success of all generations of veterans through education.

¹⁴ Gfrerer, James. Testimony for Hearing on the Topic of “Pending Nominations (OAWP, CIO).” September 5, 2018. Senate Committee on Veterans’ Affairs, <https://www.veterans.senate.gov/hearings/pending-nominations-oawp-cio-09052018>.

¹⁵ Cate, C.A., Lyon, J.S., Schmeling, J., & Bogue, B.Y. (2017). *National Veteran Education Success Tracker: A Report on the Academic Success of Student Veterans Using the Post-9/11 GI Bill*. Student Veterans of America, Washington, D.C., http://invest.studentveterans.org/wp-content/uploads/2017/03/NVEST-Report_FINAL.pdf.

¹⁶ Jared Lyon, *Defining Our Future: Today’s Scholars, Tomorrow’s Leaders*, Jan. 5, 2018, <https://www.linkedin.com/pulse/defining-our-future-todays-scholars-tomorrows-leaders-jared-lyon>



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

Pursuant to Rule XI2(g)(4) of the House of Representatives, Student Veterans of America has not received any federal grants in Fiscal Year 2018, nor has it received any federal grants in the two previous Fiscal Years.

Lauren Augustine, Vice President of Government Affairs

After graduating from Virginia Tech, Lauren enlisted in the U.S. Army, quickly rising to the rank of sergeant, and served 12 months in Iraq with the First Infantry Division. She has worked as a senior legislative associate for Iraq and Afghanistan Veterans of America, a legislative representative for the American Federation of Government Employees, and the director of government relations for Got Your 6.

In these positions she advocated on behalf of veterans, their families, and the services and benefits provided by the VA. In recognition of her advocacy work, Lauren was named to the HillVets Top 100 in 2015 and awarded the Excellence by An Up and Coming Practitioner award from the Women in Professional Advocacy in 2016. She was also appointed to the Joint Leadership Council of Veteran Service Organizations for the Commonwealth of Virginia by Governor McAuliffe in 2016.



APPENDIX A

April 24, 2018

Secretary Robert Wilkie
U.S. Department of Veterans Affairs
810 Vermont Avenue
Washington, DC

Dear Mr. Secretary,

We are writing you with concerns about VA's proposed implementation of § 107 of PL 115-48—the Forever GI Bill, officially known as the Harry W. Colmery Veterans Educational Assistance Act. As a leader of the coalition of veteran service organizations that helped secure the passage of the law, we have a vested interest in its effective implementation.

Specifically, Section 107 of the Forever GI Bill requires VA to base the monthly housing stipend rate for the Post-9/11 GI Bill on the location of “the campus of the institution of higher learning where the individual “physically participates in a majority of classes” versus where the “institution of higher learning” itself was located. In cases where schools have online or satellite programs, this change makes a big difference, and is scheduled to become effective on August 1st, 2018.

Unfortunately, VA is poised to adopt an overly broad definition of the word “campus” that will have the following troublesome affects:

- Places a heavy administrative burden on schools and lacks adequate compliance controls,
- Exceeds the scope of PL 115-48 and;
- Makes VA's rules incongruent with similar provisions in the Higher Education Act.

Our recommendation is that VA align the interpretation of the word “campus” in §107 of PL 115-48 with an already well-established definition that the majority of higher education is familiar with, the Department of Education's definition of “campus” in 34 C.F.R. §600.2 and “additional location” in 34 C.F.R. §600.10(b)(3) (*See Appendix A*). Specifically, VA should only recognize Title IV approved campuses that have been assigned an 8-digit Department of Education (ED) Office of Postsecondary Education Identification (OPE ID) code.¹⁷ ED uses this code to identify schools that have Program Participation Agreements (PPA) so that its students are eligible to participate in Federal Student Financial Assistance programs under Title IV regulations.

This alignment will significantly simplify VA's implementation of PL 115-48, make it easier for schools to comply with the new requirements and dramatically reduce the potential for fraud and abuse. All of these outcomes matter a great deal to the end users of the GI Bill: veterans and their families. Below we outline these concerns in greater detail, and hope to see this alignment come into effect before student veterans are paying the price of a botched implementation of the Forever GI Bill.

Since most schools do not centrally record the location of a student's internship or practicum this new definition would require a heavy lift for schools to implement. Specifically, VA will require schools “to provide formal

¹⁷ The first 6-digits of the OPE ID number relate to the education institution, and are followed by a 2-digit suffix used to identify branches, additional locations, and other entities that are part of the eligible educational institution.



documentation to the Compliance Survey Specialist to verify specifically where a course, internship, externship, or practicum is taking place."

Heavy Burdens

In a recent briefing to veterans groups and schools, VA's Education Service (EDU) stated that their interpretation §107 of the word "campus" includes all of the following:

- "The individual campus of a school where the student is taking classes (i.e. the school's science center, humanities building, or athletic center)
- The physical location where a student is learning in a study abroad program
- Any internship, externship, practicum or student teaching site"

While we agree with the first two definitions of campus, we are concerned that the third definition, "Any internship, externship, practicum or student teaching site" will place a heavy administrative burden on schools and lacks any adequate compliance controls. Schools will need to develop new reporting regimes to get that type of information from the students, employers and/or department heads placing a heavy administrative burden on already overwhelmed school certifying officials (SCOs).

Unfortunately, it will be nearly impossible for VA or State Approving Agencies to verify the addresses and/or locations being used to determine the monthly education benefits. For example, in some cities a switch in zip codes can mean the difference of hundreds of dollars a month per veteran. VA will not know if a student is taking an internship at an employer's corporate headquarters with a higher BAH rate or a smaller branch location with lower BAH rate. The inability for VA to validate these addresses will likely lead to some bad actors (schools, employers and/or veterans) that abuse this new payment regime.

House Report 115-247, states that "The Committee's intent is to give VA a methodology that is administratively workable and cannot be taken advantage of by schools. If VA finds that the new methodology is not workable or is still being taken advantage of, then it is the Committee's expectation that VA will alert the Committee" (See *Appendix B*). We believe that VA's proposed definition of "campus" can be easily take advantage by schools and therefore VA should adopt a methodology that allows for true compliance controls.

Exceeds Scope of PL 115-48

Previously, the housing allowance under the Post-9/11 GI Bill was based on "the monthly amount of the basic allowance for housing... for a member with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the institution of higher learning at which the individual is enrolled."

PL 115-48 replaces "the institution of higher learning at which the individual is enrolled" with "the campus of the institution of higher learning where the individual physically participates in a majority of classes." The new language creates a two-part test for determining how much a living allowance should be (1) the campus of the institution of higher learning and (2) where the individual physically participates in a majority of classes. The problem with VA's proposal to include "internship, externship, practicum or student teaching site" in the definition of campus is twofold: (1) internships do not usually occur on a "campus" and (2) internships do not usually involve formal academic "classes."

VA's proposed definition of "campus" exceeds the scope of PL 115-48, because benefits will not be determined based on the location of a campus or classes, both of which are requirements in the new law. VA EDU originally proposed a definition of campus that was more circumspect and aligned with their interagency partners. However,



after meetings with the staff of various veterans affairs committees, they were strongly encouraged to greatly expand that definition even beyond the text of the public law itself. VA should return to the text of the PL 115-48 for guidance on how “campus” should be defined.

Incongruent with the Higher Education Act

The Higher Education Act (HEA) and the Department of Education (ED) have a long history of defining the criteria for a “campus” and/or an “additional location”. According to ED a “campus” is: “A location of an institution that is geographically apart and independent of the main campus of the institution.

The Secretary considers a location of an institution to be independent of the main campus if the location (1) Is permanent in nature; (2) Offers courses in educational programs leading to a degree, certificate, or other recognized educational credential; (3) Has its own faculty and administrative or supervisory organization; and (4) Has its own budgetary and hiring authority.”

According to ED an “additional location” is: “any location that an institution establishes after it receives its eligibility designation if the institution provides at least 50 percent of an educational program at that location, unless (1) The Secretary approves that location under § 600.20(e)(4); or (2) The location is licensed and accredited, the institution does not have to apply to the Secretary for approval of that location under § 600.20(c), and the institution has reported to the Secretary that location under § 600.21.

The Department of Education assigns an eight-digit OPE ID to every campus and additional location, which is used to determine eligibility for Title IV purpose. For example, while VA has over 70 facility codes for the University of Phoenix (UoP). The Department of Education has over 700 eight-digit OPE ID codes for UoP. These codes are also validated by accreditors. VA should leverage the department of Education codes because they will significantly simplify VA’s implementation of PL 115-48, make it easier for schools to comply with the new requirements and dramatically reduce the potential for fraud and abuse.

We greatly appreciate the work of your office and that of your colleagues on this important proposal to develop grants that support student veteran centers. Please feel free to contact me directly if you should have any additional questions on this matter.

Sincerely,

Jared Lyon
President & CEO



APPENDIX B

September 14, 2018

Secretary Robert Wilkie
US Department of Veterans Affairs 810 Vermont Ave, NW Washington, DC 20420

Dear Secretary Wilkie:

The undersigned military and veterans service organizations, representing millions of veterans, service members, their families, and survivors, write to express our disappointment over ongoing information technology (IT) issues impacting GI Bill students' Monthly Housing Allowances (MHA). Given the significant impact monthly housing allowances have on the lives of over one million veterans and families, we urge swift attention and oversight from your office into the issues surrounding the Office of Information and Technology (OI&T).

The *Harry W. Colmer Act*, better known as the Forever GI Bill, included several provisions aimed at addressing inequities in the MHA students receive. These changes require significant modifications to the existing education IT systems, but nearly six weeks after the August 1 implementation date, and nearly a month into the Fall 2018 semester, the IT systems are still failing. VA should immediately address the following:

Correct and prompt payments. The failure of VA's OI&T to institute a timely software update to VA's Long Term Solution (LTS) claims processing system are negatively affecting the accuracy of payments sent to students and schools. These incorrect payments are asking veterans, their families, and schools to bear the burden of VA's problems. The consequences of this burden on students and higher education institutions lead to heavy financial burdens. Institutions of higher learning rely on timely and accurate payments from VA to cover the cost of tuition for students. Furthermore, students rely on MHA to pay for their living expenses such as rent, utilities, and food.

Greater Communication. Transparent communication from VA on these issues have been woefully lacking. It took several weeks into the current semester before any communication was sent to students and schools have received little information beyond "wait and see." Transparency on what to expect and when to expect it, from all levels of leadership at VA, is critical to helping students and schools make informed decisions.

Reassurance on payment issues. VA has stated they will not collect overpayments and will rectify underpayments in cases due only to these IT delays. VA should strongly stress to students and schools that they will not bear any undue financial burden for VA OI&T's delays and should apply a liberal standard to the reason behind incorrect payments.

Upcoming changes. Given VA has struggled to reach its goals of implementing section 107 of the Forever GI Bill in addition to the regular, annual updates to MHA by August 1, we are concerned about VA's ability to implement additional sections requiring IT upgrades. VA has the opportunity to get ahead of the next round of updates and we urge strong leadership and oversight over the implementation of this provision.

We appreciate the dedication and attention given by VA toward implementing the majority of Forever GI Bill's 34 provisions on time. The Veterans Benefits Administration office of Education Service has been consistently proactive in communicating to stakeholders on issues related to the timely and effective implementation of these provisions. However, the inability by VA OI&T to adequately and timely meet the requirements of the law to support VBA's requirements – especially one that affects a veterans' wellbeing during school - is an organizational and customer service failure at the highest level. They have left students and schools confused,



with improper payments, and absent a clearly articulated timeline for when these issues will be fixed. We also acknowledge it is imperative VA receive the necessary resources to have an effective IT system that supports all of its constituents; we encourage Congress to work quickly to meet those needs.

Students, schools, and taxpayers need assurances and answers to how this will be resolved and prevented in the future. We look forward to continuing working together with VA to resolve these issues.

Sincerely,

Joseph Chenelly
Executive Director
AMVETS National Headquarters

Frank Yoakum
Sergeant Major, U.S. Army (Retired) Executive
Director
EANGUS

Kristofer Goldsmith
President
High Ground Veterans Advocacy

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