



TESTIMONY OF
STUDENT VETERANS OF AMERICA

BEFORE THE

COMMITTEES ON VETERANS' AFFAIRS

U.S. SENATE
U.S. HOUSE OF REPRESENTATIVES

HEARING ON THE TOPIC OF:
“LEGISLATIVE PRIORITIES OF 2023”

MARCH 1, 2023

Chairmen Tester and Bost, Ranking Members Moran and Takano, and Members of the Committees,

Thank you for inviting Student Veterans of America (SVA) to submit testimony on our organization's policy priorities for 2023. With a mission focused on empowering student veterans, military-connected students, family members, and survivors, SVA is committed to providing an inclusive educational experience that goes beyond the classroom.

Through a dedicated network of campus-based chapters around the world, SVA aims to inspire yesterday's warriors by connecting today's student veterans and military-connected students with a community of dedicated SVA chapter leaders. Every day these passionate leaders advocate for the necessary resources anywhere this population is pursuing their education while working to provide support through networking and fostering a sense of comradery post-military service to ensure student veterans can effectively connect, expand their skills, and ultimately achieve their greatest potential.

Introduction

2023 marks the 15th anniversary of Student Veterans of America. This anniversary has been an opportunity to reflect on the fact that SVA was founded by a passionate group of Post-9/11 veterans who first accessed their GI Bill benefits – many of whom did so shortly after returning from service in Iraq and Afghanistan – only to find a lack of adequate support services to assist student veterans as they worked towards their educational goals on campus and beyond. SVA is a global network of chapters on college campuses – these chapters began as local student veteran clubs and organizations. These groups connected initially through social media and phone calls to spread best practices, share success stories, and support one another to further strengthen the student veteran community. These virtual connections eventually led to in-person meetings forming a truly grassroots movement to advocate for what became the Post-9/11 GI Bill and a host of important changes for student veterans informed by their lived experiences. In 2008, these advocates hosted the organization's first conference. It was here these independent student veteran organizations decided to unite under one banner, and SVA was born.

At SVA, our goal is to inspire tomorrow's leaders. This ethos is embodied by the SVA chapter at the University of South Carolina. Our SVA chapter at the University of South Carolina is one of nearly 1,600 chapters worldwide that faced the challenges associated with operating an SVA chapter amidst a global pandemic. Our chapters took on this challenge by working to transform their operations and increase accessibility to student veterans and the community in new ways. The University of South Carolina is home to our SVA Chapter of the Year, and they are an example of resilience. As they look ahead to 2023, their actions continue to inspire others through their adaptability and commitment to their campus, their Columbia, South Carolina community, and their country.

The SVA chapter at the University of South Carolina is a clear example of leadership in action. This chapter demonstrates the commitment to their community by raising awareness about suicide prevention and available resources. According to the Department of Veteran Affairs (VA), in 2020, 118 veterans died by suicide in South Carolina.¹ The SVA chapter at the University of South Carolina felt more could be done in their community and connected with the Columbia VA Vet Center to host the Steps and Strides Against Veteran Suicide Fall Festival. Now in its fourth year, the festival is a one-of-a-kind kind event in South Carolina, bringing together veterans and civilians alike for a suicide awareness walk, games, music, and resource booths to connect veterans and their families with lifesaving resources and services.

Beyond the fall festival, the SVA chapter at the University of South Carolina creates other opportunities to reflect, support, honor and celebrate veterans, service members, and their families. Student veterans and ROTC cadets alongside traditional students place over 3,000 flags annually to remember the lives lost on September 11, 2001. The chapter used virtual meeting platforms to hold meet-and-greets to stay connected to distance learners to strengthen the bond among student veterans. The chapter coordinates tailgates at home baseball and football

¹ See *generally* SOUTH CAROLINA VETERAN SUICIDE DATA SHEET, 2020, U.S. DEP'T OF VETERANS AFFAIRS (2020), *available at* <https://www.mentalhealth.va.gov/docs/data-sheets/2020/2020-State-Data-Sheet-South-Carolina-508.pdf>.

games to connect with alumni and veterans from the Columbia, South Carolina community. Following each tailgate, all attendees enter the stadium to cheer on veterans who are being recognized on the field during home games. The SVA chapter at the University of South Carolina also raised \$20,000 for Friends of Fisher House Columbia, which is constructing a home away from home for veterans visiting the Dorn VA Medical Center.

SVA chapters continue to make significant contributions to their campus and local communities through a focus on advocacy, philanthropy, and social connections. The SVA chapter at Old Dominion University works with the Student Government Association to update the Military Connect Center and other spaces used by the chapter with more recreational, educational, developmental, and accessible amenities. Their relationships on campus result in an inclusive Veterans Day celebration and opportunities to educate the campus community on issues facing veterans to influence campus policy. The SVA chapter at Fordham University highlighted the need for a Student Veteran Emergency Fund, and the results from their advocacy led to donations totaling \$100,000 in the fall semester. The SVA chapter at Texas A&M University is partnering with the Travis Manion Foundation to train its members as mentors for community youth. And, the SVA chapter at the University of Loyola Chicago recently hosted the Student Veteran Career Fair, a well-attended event to ensure student veterans are prepared for their transition from higher education into meaningful careers beyond graduation.

While these examples of SVA chapters are special, they are not unique. Over this past year, student veterans nationwide have risen to face whatever challenges have come their way. After transitioning from his Marine Corps service, Josh Jones enrolled at Loyola University to pursue an undergraduate degree. Josh involved himself with the SVA chapter at Loyola University Chicago shortly after arriving on campus and became President of the chapter in November 2021. Under Josh's leadership, chapter membership has grown and pushes for change to establish a community which student veterans and military-centered students can rely on. Josh's legacy for the chapter includes a focus on career development, resume-building initiatives, and opportunities through leading chapter involvement in Illinois' first student-initiated student-veteran career fair, including over 20 companies and five Chicagoland universities. His work on campus has inspired Josh to lead a non-profit committed to connecting employers with veterans in the Chicagoland area after he completes his degree.

At SVA headquarters, we are committed to the student veteran community and our allies by supporting our chapters, mental health resources, as well as diversity, equity, and inclusion efforts. In addition, we foster strong relationships between students and employers to assist with career opportunities during college and following graduation for a successful future. Stories like those above inspire us every day in our work at SVA, and we hope they do the same for the members of these Committees as they strive to improve the lives of student veterans in higher education.

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The GI Bill as the Front Door to VA

SVA has long championed the benefits of the GI Bill for student veterans. It offers unparalleled opportunities to beneficiaries, assisting them in accomplishing their educational and professional dreams, but it remains a deep source of untapped potential for VA. The GI Bill is one of VA's greatest assets and, if properly harnessed, can aid the Department in growing the number of veterans it serves.

For many veterans, the GI Bill is the first touchpoint they will have with VA upon their transition from military service, making their experience with the benefit the barometer by which they will judge any potential future interactions with VA.² A positive GI Bill experience builds veterans' trust and confidence in VA, and, in turn, increases veterans' likelihood of taking advantage of the full range of VA services over the course of their lives. The GI Bill is truly the front door to VA, but to fully realize its great potential, Congress must conduct strong oversight and ensure VA reprioritizes education services internally, updates their aging IT infrastructure, and makes use of technological advances to better serve the needs of veterans.

We applaud the steps VA has taken to embrace this vision. With an overhaul of VBA's IT systems underway, the agency is making huge improvements in GI Bill customer service by reducing call center wait times, enhancing communication options, and ensuring quicker benefit transactions. These improvements will help lay the groundwork for the trust and confidence that will build VA's brand among current GI Bill beneficiaries and all those to come. At the same time, it will help VA better communicate with veterans about all the services the Department offers.

While VA's recent efforts to prioritize the GI Bill through modernized IT infrastructure are laudable, there is more work to be done. SVA calls on VA and Congress to explore how the GI Bill can better integrate with the U.S. Department of Education and within the higher education system to reduce friction points that negatively impact veterans. Student veterans using their earned education benefits sit at a confusing crossroads between the higher education policies at the Department of Education (ED) and those at VA. To address this issue, we encourage, among other things, greater interagency collaboration, data sharing, and automation between relevant agencies like DOD, ED, and VA.

The effects of embracing the GI Bill as the front door to the VA will be substantial. VA will welcome more veterans through its doors and outperform their expectations by delivering a top-of-the-line experience with the GI Bill, laying the groundwork for future engagement and utilization of the entire scope of VA's programs and services.³ We look forward to focusing on this concept as we work with our partners at VA and our veteran advocate counterparts in 2023 and beyond.

SVA Research Findings and Initiatives

Over the past decade, SVA has dedicated significant resources to researching the efficacy and impact of the Post-9/11 GI Bill. The bottom line is this: student veterans are among the most successful students in higher education.⁴ We hope the information below is helpful in providing a more robust understanding of who student

² See *generally Journeys of Veterans Map*, U.S. DEPARTMENT OF VETERANS AFFAIRS, *Journeys of Veterans Map*, <https://www.blogs.va.gov/VAntage/wp-content/uploads/2020/02/Veteran-Journey-Map.pdf>; (last visited Feb. 25, 2021); *VA Welcome Kit*, DEPARTMENT OF VETERANS AFFAIRS, *VA Welcome Kit* (Nov. 12, 2020) <https://www.va.gov/welcome-kit>.

³ THE U.S. DEPARTMENT OF VETERANS AFFAIRS, *FY 2018 – 2024 STRATEGIC PLAN 5* (May 31, 2019).

⁴ 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., https://studentveterans.org/wp-content/uploads/2020/08/NVEST-Report_FINAL.pdf.

veterans are and how we can better serve them.

Our team produced both the Million Records Project (MRP) and the National Veteran Education Success Tracker Project (NVEST).⁵ The purpose of these studies was to address a straightforward question: “What is America getting for its multi-billion-dollar investment in the education of veterans?” In partnership with VA and the National Student Clearinghouse (NSC), we studied the individual education records of the first 854,000 veterans to utilize the Post-9/11 GI Bill.

Not satisfied with just knowing student veterans’ level of success in higher education, SVA started the Life-Cycle Atlas Project to begin “mapping” student veterans’ educational journeys from high school to the present to better understand how student veterans succeed in higher education.⁶ With over 4,000 responses the project has already produced three key findings.

First, much of the public has an outdated view of veterans’ post-secondary educational journey: high school, military service, college, then workforce. This view has persisted since the World War II era when service members returned from service to use the GI Bill to earn a college degree and enter the workforce. However, our research has found veterans’ educational journeys are more diverse than ever before due to more options to serve and greater accessibility of college courses.

A second key finding was discovered within these journeys. Service members are exposed to implicit messaging that they are not college material and thereby discouraged from considering a college education after service. This implicit messaging sometimes starts with high school guidance counselors and is reinforced throughout military service. It is often not until after they have separated and hear about other veterans succeeding in college that veterans realize their potential and enroll.

Finally, examining the transition from school to the workforce, the Life Cycle Atlas Project is finding that student veterans are not utilizing the variety of career preparation opportunities that are available to them, such as internships and externships. This puts student veterans at a disadvantage compared to more traditional student groups who have taken advantage of these career preparation opportunities.

SVA's research on student veteran demographics further illuminates their status as post-traditional students. Eighty-six percent of student veterans using the GI Bill are prior enlisted, while the remaining fourteen percent are prior warrant and commissioned officers. Ninety-three percent are over the age of twenty-five. Nearly half are married, and half have children, while eighteen percent are single parents.⁷ And nearly seventy percent of student veterans demonstrate the need to work while enrolled in school.

In terms of school and degree choice, nearly 90 percent of student veterans attend a public or non-profit institution.⁸ Student veterans are using their GI Bill to earn degrees in this order: first, bachelor’s degrees, then master’s degrees, followed by associate degrees, and finally terminal degrees, such as a PhD, JD, MD, etc.⁹

While the national Grade Point Average (GPA) for undergraduate college students is a respectable 3.15, the GPA for student veterans is 3.4. Student veterans are out-graduating nearly all other students achieving a success rate

⁵ See *generally Research*, STUDENT VETERANS OF AMERICA, <https://studentveterans.org/research/> (last visited Feb. 24, 2021).

⁶ See *generally Life Cycle Atlas*, STUDENT VETERANS OF AMERICA, <https://studentveterans.org/research/life-cycle-atlas/> (last visited February 15, 2021).

⁷ Kinch, A. Student Veteran Census Survey 2022. Student Veterans of America, Washington, D.C. (on file with author).

⁸ *Id.* at 8.

⁹ 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., https://studentveterans.org/wp-content/uploads/2020/08/NVEST-Report_FINAL.pdf.

of seventy-two percent compared to the national average of sixty-six percent. Additionally, NVEST data demonstrate that student veterans have a substantially higher graduation rate when compared to other adult students who are comparable peers.¹⁰

GI Bill benefits have helped nearly two million veterans to complete college.¹¹ SVA projects the Post-9/11 GI Bill will support approximately one-hundred thousand veterans graduating every year, with an overwhelming majority graduating from premier schools. That is 100,000 new doctors, accountants, scientists, financial analysts, nurses, social workers, lawyers, cybersecurity engineers, and teachers, or enough to fill the largest college football stadium in America, every single year, and as we recognize March as Woman's History Month, we note that thirty-four percent are women.¹²

When looking at income, veterans with degrees out-earn their civilian peers who have never served. Veterans with a bachelor's degree earn \$84,255 annually compared to \$67,232 annually for those who have never served, and at the advanced degree level the difference is even higher, veterans with advanced degrees earn \$129,082 annually compared to \$99,734 annually.¹³

Over the last few years, SVA has deployed the Veteran Opinion Survey, a national survey of veterans that periodically collects opinions on the challenges they face, and the effectiveness of the groups and government leaders tasked with addressing them. These surveys elevate the voice of student veterans on policy matters of national importance and were designed to provide an important accountability check for the agencies, elected officials, and the organizations that serve them.¹⁴ The pandemic confirmed the value of these new surveys as SVA used them to better understand how COVID-19 impacted student veterans and their families. The unique data that was collected informed SVA's action on behalf of student veterans during this challenging period.

In 2022, SVA focused our research on better understanding student veterans' core needs. We released three surveys, our Veteran Household Financial Health and Planning Survey, Veterans in the Workforce, and our first ever Student Veterans' Basic Needs Survey. These new research tools will fill critical gaps in currently available information, allow us to better serve our chapter members, and advocate for meaningful policy solutions. We plan to announce the reports of these studies in 2023.

The GI Bill is creating an ever-growing network of successful veterans who are going to run businesses, invent new technologies, teach young minds, and lead in their communities, which is why we need to bolster empowering policies and programs that best support student veteran success to, through, and beyond higher education. Quality data is key to these efforts. We encourage these Committees to take advantage of the full breadth of SVA's research as they endeavor to craft policies that will serve current and future generations of student veterans.

Diversity, Equity, and Inclusion

¹⁰ *Id.*

¹¹ LYNN MILAN, NATIONAL CENTER FOR SCIENCE AND ENGINEER STATISTICS, INFO BRIEF: CHARACTERISTICS OF COLLEGE GRADUATES, WITH A FOCUS ON VETERANS 5 (Oct. 2018), <https://www.nsf.gov/statistics/2019/nsf19300/nsf19300.pdf> (showing 3,625,00 veterans had graduated college as of 2017, with more than 50 percent using GI Bill assistance).

¹² See 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., https://studentveterans.org/wp-content/uploads/2020/08/NVEST-Report_FINAL.pdf; Kinch, A. Student Veteran Census Survey 2022. Student Veterans of America, Washington, D.C. (on file with author).

¹³ *Student Veterans: A Valuable Asset to Higher Education*, INSTITUTE FOR VETERANS AND MILITARY FAMILIES AND STUDENT VETERANS OF AMERICA (2017), https://studentveterans.org/wp-content/uploads/2020/08/Student-Veterans_Valuable_9.8.17_NEW.pdf.

¹⁴ *Veterans Opinion Survey*, STUDENT VETERANS OF AMERICA, <https://studentveterans.org/research/veterans-opinion-survey/> (last visited Feb. 24, 2021).

SVA has long advocated for the creation of inclusive spaces, not only among its chapter membership, but also on campuses across the nation. Last September, we partnered with the Rutgers Center for Minority Serving Institutions on a first-of-its-kind collaboration that will help SVA collect more data and hear more voices that will inform our policy work on Capitol Hill. We encourage committee members to tune in to our social media platforms and podcast for “SVA Mondays” to learn more about how this partnership is advancing diversity, equity, and inclusion for student veterans and military-connected students at minority serving institutions.

SVA also created a senior fellow position to oversee the diversity, equity, and inclusion initiatives at our national headquarters, which has included leading the creation of our new Racial Justice Task Force. The goal of the task force is to expand representation and inclusion of communities of color across SVA’s operations including chapter membership, organizational programming, and advocacy.

Last, but not least, SVA will lead a national conversation through a Student Veteran Representation and Inclusion Summit, ensuring that Black, Indigenous, and People of Color student veterans and service members, as well as their families, are at the forefront of conversations about diversity, equity, and inclusion. Representation is imperative where diversity, equity, and inclusion are a goal, and SVA sees this summit as an opportunity to build community and create space that is more representative of our nation rather than focus only on the groups that have historically dominated spaces in higher education. It is our hope that this summit is the first in a long series of discussions that help reframe the national conversation around inclusion and representation in higher education. We invite everyone here today to engage with SVA’s diversity, equity, and inclusion efforts, to take part in these meaningful dialogues, and allow these experiences to inform and reshape how we think about our legislative priorities going forward.

A Special Note of Appreciation: Protecting Student Veterans during National Emergencies

For years, student veterans have encountered challenges with education benefits during times of unexpected hardship—often due to natural disasters.¹⁵ The pandemic exposed the true scale of these challenges and the numerous gaps in VA’s legal authority that prevent the agency from protecting students and their benefits in emergency situations. In response to these challenges, and to protect student veterans and their families from a sudden, unnecessary loss of benefits, Members of these Committees and their staff worked tirelessly during the pandemic to patch holes in the underlying veterans’ education benefits support structure as quickly as they were identified, creating a temporary safety net that protected military-connected students.

During the pandemic, these protections proved invaluable by keeping roofs over student veterans’ heads, preserving work-study payments, and protecting benefits from expiring, among other things. Last year, Members of these Committees worked across the aisle to make the emergency protection authority permanent in the Veterans Auto and Education Improvement Act of 2022. Now, when the next national emergency or major disaster is declared, the Secretary of VA can proactively enable these critical, stabilizing authorities and protect student veterans and their families when they need it most.

On behalf of current and future generations of student veterans and military-connected students, SVA thanks the Committee Members for their dedication and perseverance on this issue, which stands as a prime example of proactive, common-sense legislation.

Priorities Overview

In this testimony, we will highlight our top policy priorities for 2023 and beyond, most of which originate from direct interactions with student veterans through the SVA Policy Liaison Program and at our annual Regional Summits, Leadership Institute, Washington Week, and National Conference. Our priorities fall into the following five

¹⁵ Student Veterans of America. Natural Disaster Map. <https://studentveterans.org/government-affairs/natural-disaster-map/>.

categories.

- GI Bill Improvements
- Post-Traditional Student Success
- Strengthening Higher Education
- VA Modernization
- Transparency and Accountability

SVA is committed to the next phase of thinking about the GI Bill, elevating the voices of student veterans, and better addressing their everyday needs. With the collective input of student veterans provided during SVA programming throughout the last year, we have finalized our legislative priorities, which are shared in detail in the sections that follow and in a one-page summary available to all Committee Members, student veterans, and interested advocates.

Top Priorities

1. *Ensure members of the National Guard and Reserve receive the same benefits as those on active duty when performing the same work.*

As U.S. defense plans change from utilizing the National Guard and Reserve Components as a ‘strategic reserve’ to an ‘operational reserve’, we see an increasing level of overlap in the training and service requirements for the deployment of these service members and those of active-duty service members. However, under current law, these similar responsibilities do not equate to similar benefits. These inequities were laid bare recently as members of the National Guard were tasked with responding to numerous, unprecedented challenges including multiple natural disasters, COVID-19, and the violent insurrection in our nation’s capital.¹⁶

SVA would like to recognize last session’s efforts to address this issue, and, specifically, Representative Levin’s H.R. 1836, *the Guard and Reserve Parity Act of 2021*. We thank Chairman Levin of the HVAC EO Subcommittee for his tireless work to make every day in uniform count the same for everyone who wears it. We encourage these Committees to pass legislation that finally brings parity to benefits for members of the Guard and Reserve who undertake the same duties and risks as their active-duty counterparts.

2. *Comprehensively review and update Monthly Housing Allowance (MHA) calculations to address gaps and disparities such as those related to Veteran Readiness & Employment (VR&E), break pay, overseas institutions, and online instruction.*

Even before the pandemic, SVA regularly heard from students that current MHA rates do not reflect the reality of their living situation. Whether it be the lower subsistence rates for VR&E compared to Post-9/11 MHA, the lack of payment for periods between academic terms, the flat rate for overseas learners, or inequities in distance learners’ MHA, students have raised concerns about the efficacy of MHA broadly and its disconnect from the needs of today’s students.

It is worth noting that DOD has implemented emergency BAH rate corrections for the last two years to address the “financial burden of rising housing costs facing Service members” and circumstances making “it especially challenging for Service members and their families in the affected [areas] to find affordable housing...”¹⁷ Data

¹⁶ Meghann Myers, *State National Guard chiefs call for more troops, more benefits for federal missions*, MILITARY TIMES (Jan. 29, 2021), <https://www.militarytimes.com/news/your-military/2021/01/29/state-national-guard-chiefs-call-for-more-troops-more-benefits-for-federal-missions>.

¹⁷ Press Release, Department of Defense, *DoD Authorizes a Temporary Increase to 2021 Basic Allowance for Housing Rates for Certain Locations* (Sept. 24, 2021), <https://www.defense.gov/News/Releases/Release/Article/2788871/dod-authorizes-a-temporary-increase-to-2021-basic-allowance-for-housing-rates-fl>; *DoD Authorizes an Automatic Increase to 2022 BAH Rates for Certain Locations*, DEPARTMENT OF

also show that more than a quarter of student veterans take out student loans, with 58 percent doing so to cover living expenses and the most common being housing costs.¹⁸ SVA believes it is time to review certain fundamental assumptions underlying MHA.

We encourage Congress to consider the following recommendations to ensure MHA meets the needs of today's student veterans.

VR&E subsistence rates. For years, student veterans have shared concerns about affording basic necessities while pursuing their VR&E individualized training and education plans, concerns echoed in a 2014 Government Accountability Office (GAO) report which found that veterans may discontinue their plans before completion due to financial pressures.¹⁹ This issue exists primarily due to VR&E having two different subsistence rates: the internal VR&E subsistence rate and the much higher Post-9/11 MHA rate.

The standard VR&E rate is substantially lower than the Post-9/11 MHA rate and based on several factors, such as rate of attendance, number of dependents, and training type.²⁰ The maximum rate possible under this model requires a student to have two dependents and scarcely reaches the national average MHA under Ch. 33. Raising the VR&E subsistence rate to the Post-9/11 MHA rate reduces bureaucracy, eliminates confusion, encourages program utilization, and ensures greater fairness in benefits for veterans with service-connected disabilities.

Break pay. Another issue that continues to cause hardship for many students is the lack of payment for periods between academic terms. The Post-9/11 Veterans Educational Assistance Improvements Act of 2010 removed interval pay, otherwise known as break pay, from the GI Bill. Reinstating break pay is one of the top policy recommendations shared by student veterans.

We understand there are significant cost considerations when it comes to break pay, but it is important to remember that student veterans are post-traditional, meaning they are pursuing education without parity in the support structure many traditional students use during school breaks. We continue to hear from student veterans throughout the year about the financial difficulties that occur between terms. SVA asks that Congress explore options to provide relief to our student veterans in a way that is both consistent with the intent of the law and fiscally responsible.

Overseas rates. We have also heard from students about the overseas MHA rate, recently changed to the U.S. national average, not being adequate for their training locale. SVA does not believe the national average is the appropriate MHA rate for international locales, particularly when many of those areas have significantly higher costs of living. We recommend these Committees review ways to either more appropriately match the MHA rate with overseas locations, or simply use the relevant DOD Overseas Housing Allowance (OHA) rate or national average, whichever is greater. VA already uses DOD's BAH rates to determine MHA rates for domestic students and OHA rates for those in U.S. territories. We believe using the OHA rate for overseas GI Bill students is a common-sense solution that provides a more equitable housing rate and establishes consistency in the methods VA uses to establish those rates.

DEFENSE (Sept. 22, 2022), <https://www.travel.dod.mil/About/News/Article/Article/3167951/dod-authorizes-an-automatic-increase-to-2022-bah-rates-for-certain-locations/>.

¹⁸ Phillip Oliff, Scott Brees & Richa Bhattarai, *Why Veterans with GI Bill Benefits Still Take Out Student Loans*, PEW (Jan. 7, 2022), <https://www.pewtrusts.org/en/research-and-analysis/articles/2022/01/07/why-veterans-with-gi-bill-benefits-still-take-out-student-loans>,

¹⁹ U.S. GOVERNMENT ACCOUNTABILITY OFFICE, VA VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAM – FURTHER PROGRAM MANAGEMENT IMPROVEMENTS ARE NEEDED 6 (Feb. 27, 2014), available at <https://www.gao.gov/products/gao-14-61>.

²⁰ *Veteran Readiness and Employment (VR&E) Subsistence Allowance Rates*, U.S. DEPARTMENT OF VETERANS AFFAIRS (Sept. 29, 2021), https://www.benefits.va.gov/vocrehab/subsistence_allowance_rates.asp.

Distance learner rates. A recurring complaint throughout the pandemic was the inequitable treatment of distance learner MHA rates compared to in-person MHA rates. While Congress responded quickly to preserve MHA rates for students who were attending classes in-person but forced online, students who were enrolled solely in distance learning courses continued to receive an MHA rate that is half the national average. With more students learning online, many student veterans see this difference as unfair or a punishment for their school or education choices.

SVA recognizes that the pandemic has shown this difference to be unreasonable. We believe now is the time to begin the discussion on how best to bring parity to these MHA rates while ensuring the solution is workable. We have yet to identify the ideal solution, but we ask that the members of these Committees work with us to find creative solutions that will shrink the gap between the current rates.

Lag in BAH rate revisions and updates translating to MHA. Student veterans do not see updates to their MHA reflective of changes to underlying BAH rates until August of every year. This issue was brought to our attention by student veterans at the Massachusetts Institute of Technology, an institution located in an area for which DOD had sanctioned a temporary BAH increase in 2022. As noted above, DOD has implemented temporary BAH increases for the past two years to address the fact that rates weren't keeping pace with the cost of living in certain areas. DOD also implements new standard rates every January. Statute requires MHA rates be updated every August, but that means there is a period of several months where student veterans are receiving what is, by that time, an outdated housing allowance.²¹ SVA believes this lag time is wholly unnecessary and that it negatively impacts student veterans' ability to pay for housing. We ask that Congress eliminate the gap period by requiring MHA rates to be updated immediately upon DOD implementation, whether on a temporary or standard basis.

We thank the Committees for considering the various buckets of MHA reform that are needed to ensure the benefit appropriately and adequately addresses the needs of today's student veterans.

3. *Better integrate and support VA healthcare on campuses, particularly through the VA VITAL program.*

An oft-overlooked program that quietly excels is VA's Veterans Integration to Academic Leadership, or VITAL, program. VITAL is a joint effort between the Veterans Benefits Administration (VBA) and the Veterans Health Administration (VHA) that provides on-campus mental healthcare and support services to student veterans and, when needed, coordinates with VHA, VBA, and community care providers. In addition, VITAL provides education and training on student veteran-specific needs for campus faculty and staff to further aid schools in creating a more welcoming community for transitioning student veterans.

When viewed in the light of VA's "Whole Health" treatment objective, VITAL's broad portfolio of services stands out as well-designed, flexible, and responsive to the day-to-day needs of student veterans. We know how important programs like this are to student veterans because, based on our public opinion surveys, healthcare and mental healthcare services have been identified as the top two issue areas on which veteran service organizations should focus their advocacy efforts.

In addition, SVA would like to see VITAL program capabilities expanded on campuses across the country through increases in annual funding and by making on-campus access to VA Healthcare, including the use of telehealth technology, and coordination with community care providers a top agency priority. This could not only increase student veteran access to VA healthcare, but access for veterans in the broader community as well, empowering veterans of all stripes to seek and receive the health care services they need.

SVA thanks Representative Ellzey for his leadership on H.R. 5516, *the VITAL Assessment Act*, which was ultimately included in H.R. 2617, *the Consolidated Appropriations Act of 2023*. The legislation requires VA to report on the VITAL program—providing Congress with key information to better understand and support it—and

²¹ See 38 U.S.C § 3313(i) (requiring that "[a]ny monthly housing stipend payable under this section during the academic year beginning on August 1 of a calendar year shall be determined utilizing rates for basic allowances for housing payable under section 403 of title 37 in effect as of January 1 of such calendar year.") (emphasis added).

would establish uniform best practices, among other improvements. SVA believes this is just the first step to improving and expanding this program on campuses across the country.

To fully realize VA's commitment to treating the whole health of veterans, we call on the Committees to explore ways to elevate VITAL's prioritization within VA and support it with additional funding.

4. *Expand protections for National Guard and Reserve members who face short-term deployments and training obligations during their studies.*

SVA has heard from student service members who face challenges in completing coursework or exams due to conflicts with short-term military training or deployments. Administrative issues such as withdrawal and reimbursement can also contribute to uncertainty for service members as they manage concurrent military service and school obligations. SVA believes most institutions sincerely want to help these students balance their military duties with their studies, but students nevertheless lack a basic safety net in many instances.

Federal law requires institutions to offer student service members readmission in certain circumstances associated with long-term and short-term duty obligations.²² These are important protections, but they only address the initial barrier of readmission, while service members often encounter many other challenges when balancing military duty and their studies. A recent change to law also requires that institutions provide a policy that "otherwise accommodates" service members during short service-related absences.²³ This is a significant first step toward protecting student service members, especially for those in the many states that have no laws requiring institutions to provide such accommodations.²⁴ Nevertheless, this language is unlikely to cure confusion and the fundamental inequities created by the current patchwork of different state laws in this area.²⁵

SVA thanks Representative Underwood and Senator Hassan for championing H.R. 5604 and S. 4890, the *Protections for Student Veterans Act*. Language from that legislation was passed in H.R. 2617, the *Consolidated Appropriations Act of 2023* and will help establish specific, universal protections for service members using VA education benefits who are called to duty during their studies. Student service members using VA benefits and managing concurrent military duty deserve the certainty of standard protections at the federal level. This legislation fills gaps by creating a baseline set of safeguards for service members using VA education benefits, while still allowing schools and states the freedom to offer more generous protections, should they so choose.

While SVA supports the language that passed into law last year, we believe it must be enhanced. First, Congress must expand the scope of these protections to encompass all student service members, not just those using VA education benefits. SVA is working with VFW-SVA Fellow Harry Phillips of Tulane University who is spearheading a policy proposal to expand protections to all student service members and refine the safeguards now on the books thanks to Representative Underwood's and Senator Hassan's legislation.

Additionally, the new protections must be refined to allow students the option to continue their classes for credit while also excusing absences during service obligations. Without this option, service members may not be entitled to continue their studies during a short-term activation. The current language may force service members to take an incomplete and resume their courses only after their service obligation concludes. SVA is aware of instances where National Guard units have provided leeway for student service members to continue studies during recent state-side deployments, but students may still be prevented from doing so unless their institutions provide similar flexibility.

Finally, SVA encourages Congress to work in tandem with ED, VA, and DOD to explore other ways to provide

²² See 20 U.S.C. 1091c; 38 U.S.C. § 3679(f)(1)(G).

²³ 38 U.S.C. § 3679(f)(1)(G).

²⁴ See generally Internal SVA Working-compilation of State Student Service Member Protection Laws. (available on file with organization).

²⁵ See generally *id.*

student service members with additional protections and flexibility so military duty does not negatively impact academic progress. We look forward to working with these committees and others to reduce the friction that can be caused by military activations for members of the National Guard and Reserve in higher education.

5. *Explore ways to modernize federal student financial aid to account for the unique circumstances of transitioning service members.*

SVA has heard from transitioning veterans that say their federal financial aid packages do not reflect their true economic circumstances. The crux of the problem is that financial aid is based, in part, on an applicant's income from the prior year. For recently transitioned service members those numbers reflect what they were paid while they were still serving. Having transitioned, those figures may not be consistent with veterans true financial circumstances at the time they are apply for financial aid. For example, these individuals may be attending school full time without a job, holding a part time job with substantially reduced wages relative to what they were making while serving, or holding a full time job with vastly different earnings. As a result, these veterans may be shortchanged on their financial aid.

We ask the Committees to explore ways in which VA may be able to partner with the Department of Education to automatically identify recently transitioned veterans and provide them with the option to have their financial aid award reevaluated based on a change in financial circumstances. There is an existing process called professional judgment, which could be leveraged for this very purpose. SVA believes that through inter-departmental collaboration, there may be ways to automatically notify recently transitioned veterans about the professional judgment option—one many students may not be familiar with and that takes individual action to initiate.²⁶ This is just one example of how this issue could be addressed. SVA is eager to work with these Committees to explore solutions to this issue.

6. *Expand and improve VA VET TEC program.*

SVA supports refining and making the VET TEC Pilot Program permanent.

At SVA, we know not every veteran pursues a traditional higher education and that many are also interested in tech careers, like computer programming, data processing, computer software, and others. VET TEC was established in 2017 to assist veterans in securing high tech jobs through quality training programs. It has been well-received but expires next year.

VET TEC has been successful by several different measures. The program's enrollees are diverse—much more so than working-age veterans generally—and nearly 90 percent report having a service-connected disability.²⁷ Two-thirds of participants completed their programs, and 66 percent of completers found meaningful employment within half a year.²⁸ Finally, salaries were relatively high, with graduates earning an average of \$62,491 per year.²⁹

The Program is not perfect, and GAO recognized this when it offered several recommendations for improvement

²⁶ See generally *What is professional judgement?*, FEDERAL STUDENT AID, <https://studentaid.gov/help-center/answers/article/what-is-professional-judgment> (last accessed Feb. 16, 2023).

²⁷ U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-23-105343, VETERANS EMPLOYMENT: PROMISING VA TECHNOLOGY EDUCATION PILOT WOULD BENEFIT FROM BETTER OUTCOME MEASURES AND PLANS FOR IMPROVEMENT 7-9 (2022).

²⁸ *Id.* at 11.

²⁹ *Id.* at 16.

last fall. We were glad to see VA embrace most of GAO's recommendations.³⁰ Legislation that seeks to make the program permanent should embody GAO's recommendations and the input of stakeholders, including training providers, institutions of higher education, veteran-serving organizations, and employers. SVA looks forward to working with the Committees to improve VET TEC and make it permanent so future generations of veterans can continue leveraging the program to find high-quality, well-paying jobs in the technology sector.

Additional Priorities

GI Bill Improvements

1. *Address negative trickle-down impacts of institutional administrative burdens by reviewing VA education policies for inefficiencies and exploring ways to add more SCOs on campuses.*

Over the last three years, a myriad of important, new requirements passed into law that govern the administration VA education benefits. VA has worked diligently to implement these provisions. Unfortunately, in many cases, implementation has not been as timely or smooth as necessary.

SVA has heard from many SCOs about the increased administrative burden resulting from these new policies, which is exacerbated by a lack of timely and consistent guidance from VA. The resulting confusion and strain on SCO's time diminishes their ability to serve student veterans at the level many hope to. Based on extensive feedback from SCOs, this appears to be an issue impacting many institutions, with the negative impacts ultimately trickling down to student veterans.

Our organization does not represent SCOs, but their concerns become ours when they relate to SCO's ability to properly serve student veterans. We also hear from student veterans that there are not enough School Certifying Officials (SCO) to adequately address the needs of all the student veterans at many campuses. This overlap in feedback from SCOs and the student veterans they serve is concerning because it suggests there may be a very real problem with VA's currently recommended ratio of one SCO to every 200 GI Bill students.

SVA encourages these Committees to review VA education benefit policies to identify redundancies and inefficiencies that can be eliminated to decrease the current administrative burden on SCOs. We also ask the committee members to explore ways to better support SCOs, including options for encouraging institutions to hire more of these professionals so our student veterans have appropriate access to their critical services.

2. *Address concerns with VR&E processes and personnel.*

In 2021, VA announced a self-identified change in how it assesses eligibility for VR&E as it relates to other veterans' education benefits. In short, a veteran may use their VR&E eligibility up to a 36-month cap and then, separately, use another education benefit, such as the Post-9/11 GI Bill, up to its own 36-month cap, with a total cap of 48 months. SVA would like to commend VA for identifying and changing its interpretation. This change provides a greater benefit to eligible veterans and complies with the underlying statute.

To continue this positive trend, SVA encourages more discussion around the VR&E program with VA and a focus on specific areas of concern, such as the lack of counselors, difficulty in contacting VA to determine eligibility, long timelines in the assessment process, inconsistent counselor guidance and accessibility, among others.

VR&E is one of the most flexible and important programs in VA's portfolio. Indeed, in certain scenarios, it provides a vastly greater benefit than even the generous Post-9/11 GI Bill. Particularly considering the recent change to entitlement charges by VA, it is more important than ever to thoroughly review this program for obstacles, barriers, and shortfalls that prevent it from fulfilling its true potential as a benefit. We look forward to working with

³⁰ *Id.* at 29.

the Committees on the best path forward for the program.

Post-Traditional Student Success

1. *Identify and establish better support for post-traditional students' basic needs, including food, shelter, and childcare.*

In December 2018, the GAO released a report on food and housing insecurity among college students.³¹ After reviewing 31 separate studies, they concluded that “[n]one of these studies... constitute a representative study” of our nation’s students.³² In fact, no federal agency has assessed food and housing insecurity among postsecondary students and that will remain true until the most recent National Postsecondary Student Aid Survey (NPSAS) is completed.³³

Other research designed to fill current gaps paints a potentially concerning picture. A 2020 survey conducted by The Hope Center found that in 2019, nearly 40 percent of student respondents reported being food insecure during the previous 30 days, more than 46 percent reported experiencing housing insecurity in the past year, and 17 percent reported being homeless during the past year.³⁴

While SVA works to collect its own data through our Student Veteran Basic Needs Survey, we call on Congress to support efforts to collect additional data at the federal level on student basic needs.

Childcare needs are another pressure point for post-traditional students, including many student veterans. Increasing access to childcare is a near-universal conversation among SVA Chapters. This is no surprise given that more than fifty percent of student veterans are parents.³⁵ Childcare challenges create added pressures for student veterans and other post-traditional students which can complicate academic journeys.

With childcare costs comprising about 10 percent of an average family’s income, and presumably more for single parents, financial pressures can compound more quickly for student parents.³⁶ These pressures have predictable outcomes: twenty-four percent of students pursuing bachelor’s degrees reported that they have considered stopping taking courses in the latter half of 2020 due to childcare or caregiver responsibilities.³⁷ This number rises to thirty-two percent for those students pursuing associate degrees.³⁸

³¹ GOVERNMENT ACCOUNTABILITY OFFICE, FOOD INSECURITY: BETTER INFORMATION COULD HELP ELIGIBLE COLLEGE STUDENTS ACCESS FEDERAL FOOD ASSISTANCE BENEFITS, GAO-19-95. December (Dec. 2018.), *available at* <https://www.gao.gov/assets/gao-19-95.pdf>.

³² *Id.*

³³ *Real College Survey 2020: Five Years of Evidence on Campus Basic Needs Insecurity*, THE HOPE CENTER, https://hope4college.com/wp-content/uploads/2020/02/2019_RealCollege_Survey_Report.pdf (last visited Feb. 24, 2021).

³⁴ *Id.*

³⁵ *The 2020 SVA Census Survey: Student Veteran General Breakdowns*, STUDENT VETERANS OF AMERICA 6 (Jan. 2021), <https://studentveterans.org/wp-content/uploads/2021/04/SVA-Census-2020-Report.pdf>

³⁶ Rasheed Malik, Working Families Are Spending Big Money on Child Care, CENTER FOR AMERICAN PROGRESS (June 20, 2019), <https://cdn.americanprogress.org/content/uploads/2019/06/19074131/Working-Families-SpendingBRIEF.pdf> (citing U.S. CENSUS BUREAU 2014 SURVEY OF INCOME AND PROGRAM PARTICIPATION, WAVE 3 (2019)), <<https://www.census.gov/programssurveys/sipp/data/datasets/2014-panel/wave-3.html> (last visited Feb. 24, 2021).

³⁷ Gallup. *Gallup State of the Student Experience: Fall 2020 Report*. <https://www.gallup.com/education/327485/state-of-the-student-experience-fall-2020.aspx>.

³⁸ *Id.*

According to the Center for Community College Student Engagement (CCCSE), twenty-two percent of parent students reported a lack of childcare made it difficult for them to complete their coursework.³⁹ And, of those that manage to graduate, the Institute for Women's Policy Research (IWPR) reports that "[m]edian student parent debt is nearly 2.5 times higher than debt among students without children."⁴⁰

The only federal program dedicated solely to providing childcare assistance for lower-income students in higher education is Child Care Access Means Parents in Schools, or CCAMPIS, but historical challenges with underfunding and available childcare providers, particularly in evening and weekend hours, limit its effectiveness.⁴¹ Other federal programs that provide childcare assistance, such as the Child Care Development Block Grant (CCDBG), have more difficult eligibility rules, thus limiting their effectiveness as a support pillar for post-traditional students.

SVA recommends that Congress increase funding for CCAMPIS and build in enhanced flexibility for CCDBG applicants. We also recommend Congress investigate how they might expand or create new programs modeled off the pilot programs established for childcare at VA medical facilities.

Finally, we recommend that the members of these Committees renew their consideration of draft legislation first proposed by former VFW-SVA Fellow El'ona Kearney of The Evergreen State College as part of the VFW-SVA Legislative Fellowship. El'ona's work highlighted the lack of assistance for non-traditional childcare options, such as care from relatives and neighbors who are more likely to be available and willing to assist with childcare during off-peak times like evenings and weekends. This stipend proposal would provide at least some flexibility and assistance to student veterans, many of whom need alternative childcare options.⁴²

2. *Call for additional funding for VetSuccess on Campus (VSOC) locations and veteran centers.*

The VSOC program is one of the few SVA hears about that is uniformly positive. Despite this, over its lifetime, the program has only expanded to approximately twenty schools beyond its original ninety-or-so. This program is popular, providing tremendous help and guidance to student veterans and schools. We encourage Congress to provide adequate funding to ensure it can expand to meet the growing needs of student veterans everywhere.

On-campus student veteran centers are crucial to student veteran success. According to the results of a survey conducted by Operation College Promise, "the most beneficial campus service was a veteran center on campus especially one with a specific office/lounge where veteran students can meet, work together, and learn about veteran/military student benefits and programs."⁴³ This closely parallels what SVA hears directly from student veterans, many of whom often request additional support for their veteran centers. These requests for additional

³⁹ CCCSE. The Impact of COVID-19 on Entering Students in Community Colleges. Spring 2021. https://cccse.org/sites/default/files/SENSE_COVID.pdf.

⁴⁰ Institute for Women's Policy Research. *The Student Parent Equity Imperative: Guidance for the Biden-Harris Administration*. https://iwpr.org/wp-content/uploads/2021/04/Student-Parent-Equity-Imperative_final.pdf.

⁴¹ See generally TERRY BRIDGET LONG, THE HAMILTON PROJECT, HELPING WOMEN TO SUCCEED IN HIGHER EDUCATION: SUPPORTING STUDENTPARENTS WITH CHILD CARE (Oct. 2017), available at http://www.hamiltonproject.org/assets/files/higher_education_student_parents_womenLong.pdf

⁴² Discussion Draft, To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to pay to certain veterans, who receive certain educational assistance furnished by the Secretary, a weekly stipend for child care services (2021), available at <https://docs.house.gov/meetings/VR/VR10/20210921/114046/BILLS-1172ih-U1.pdf>.

⁴³ WENDY A. LANG ET AL., COMPLETING THE MISSION II: A STUDY OF VETERAN STUDENTS' PROGRESS TOWARD DEGREE ATTAINMENT IN THE POST 9/11 ERA 10 (Nov. 2013), available at https://campussuite-storage.s3.amazonaws.com/prod/1280306/3a32f069-629b-11e7-99ef-124f7febbf4a/1691064/278b511c-024e-11e8-8b36-0a8d44716112/file/completing_mission_ii-Nov2013.pdf (emphasis added).

support are coming at a time when veteran-support services are facing reduced funding on many campuses.⁴⁴ We thank Representative Frankel and Senator Rosen for their efforts to address this issue through *The Veteran Education and Empowerment Act*, which would, among other things, reauthorize grant funding to support student veteran centers on campuses across the country.⁴⁵

We encourage the committee to prioritize support for VSOC and campus veterans' centers.

3. *Expand access to reliable broadband internet.*

As SVA has testified before, higher education's rapid transition to online instruction in the wake of COVID-19 has made students' access to affordable and reliable broadband internet more important than ever.⁴⁶ This transition has accelerated investment in online program infrastructure at institutions around the country. As a result, we expect online learning to play an increasingly mainstream role in higher education, even well after the pandemic. It is concerning, then, that millions of Americans cannot either access or afford reliable broadband internet. Put another way, the digital divide in this country is real, and the pandemic laid bare these inequities.

SVA would like to recognize the passage of the *Infrastructure Investment and Jobs Act* which provides \$65 billion to improve broadband access in rural areas and affordability in lower-income communities.⁴⁷ As part of this, the Emergency Broadband Benefit Program, which we applauded for its direct benefit to communities of need, has been turned into a permanent program called the Affordable Connectivity Program. Programs like this, with funding to support and flexibility in how they are applied, serve as remarkable examples of how Congress can help those in need quickly.

However, despite the much-needed influx of funding to support these programs, the work to bridge the digital divide is not yet complete. According to the FCC, there are at least 2.2 million veteran households in this country without either fixed or mobile broadband connections, with price and location described as the top barriers to adoption.⁴⁸ For student veterans, over half of whom are parents, the consequences of being unable to access reliable broadband extend beyond themselves to their dependents.

The digital divide has had an outsized impact on communities of color and low-income households.⁴⁹ Courses shifting online during the pandemic only worsened these inequities. Without other options than dropping out entirely, students increasingly began to sit outside their schools, local libraries, or coffee shops to connect to free wireless internet and complete their schoolwork, a practice FCC Chairwoman Jessica Rosenworcel has called

⁴⁴ Military Times Staff, *About 1 in 3 colleges have cut funding for veteran-support programs, survey says*, MILITARYTIMES (Feb. 22, 2021), <https://www.militarytimes.com/education-transition/2021/02/23/about-1-in-3-colleges-have-cut-funding-for-veteran-support-programs-survey-says/>.

⁴⁵ Veteran Education and Empowerment Act, H.R. 3686 (2021); Veteran Education and Empowerment Act, S. 1881 (2021).

⁴⁶ Student Veterans of America, Testimony of Justin Monk before the U.S. Senate Committee on Veterans' Affairs hearing on the topic of "SUCCESS AFTER SERVICE: IMPROVING VETERANS' EMPLOYMENT, EDUCATION, AND HOME LOAN OPPORTUNITIES." <<https://www.veterans.senate.gov/imo/media/doc/10.27.21%20Monk%20SVA%20Testimony1.pdf>>.

⁴⁷ Infrastructure Investment and Jobs Act. https://www.epw.senate.gov/public/_cache/files/e/a/ea1eb2e4-56bd-45f1-a260-9d6ee951bc96/F8A7C77D69BE09151F210EB4DFE872CD.edw21a09.pdf.

⁴⁸ The Federal Communications Commission, *Report on Promoting Broadband Internet Access Service for Veterans, May 2019*. Accessed July 20, 2020. <https://docs.fcc.gov/public/attachments/DOC-357270A1.pdf>.

⁴⁹ See Sara Atske and Andrew Perrin, *Home Broadband Adoption, Computer Ownership vary by race, ethnicity in the U.S.*, PEW RESEARCH CENTER (July 15, 2021), <https://www.pewresearch.org/fact-tank/2021/07/16/home-broadband-adoption-computer-ownership-vary-by-race-ethnicity-in-the-u-s/>; Emily A. Vogels, *Digital Divide Persists Even as Americans with lower incomes make gains in tech adoption*, PEW RESEARCH CENTER (June 22, 2021), <https://www.pewresearch.org/fact-tank/2021/06/22/digital-divide-persists-even-as-americans-with-lower-incomes-make-gains-in-tech-adoption/>.

“Parking Lot Wi-Fi.”⁵⁰

SVA recognizes that much has been done recently to address these concerns, and we applaud that work. But with so many more veterans still in need of help, we urge these Committees and Congress to continue exploring innovative ways to make sure students can access this essential service, which will continue to play an ever-larger role in their higher education journeys.

Strengthening Higher Education

1. *Pass a comprehensive reauthorization of the Higher Education Act.*

Reauthorizing the *Higher Education Act* (HEA) and ensuring student veterans’ voices are heard during the process remains a top priority for SVA. While HEA generally falls outside the jurisdiction of these Committees, SVA implores all Members, as engaged veteran advocates, to prioritize and participate in efforts to reauthorize HEA. VA significantly impacts the lives of student veterans and military-connected students, but the agency’s education business lines handle only a fraction of the higher education legislation and regulation that ultimately affect student veterans, service members, and their families.

The unfortunate reality is that HEA is woefully out-of-date, and as a result, unable to adequately serve students in a 21st Century higher education system. Reauthorization is well overdue given the frequency with which Congress has addressed the statute in the past. SVA encourages Congress to take the steps necessary to reauthorize the HEA.

2. *Ensure accurate and timely implementation of the improved 90/10 Rule, which now counts VA and DOD educational benefits as federal education funds.*

Congress has finally closed the harmful 90-10 loophole in a move that will protect student veterans and service members from bad-actor institutions more interested in prioritizing profit than student outcomes.

The 90/10 rule was intended to serve as a market viability test to ensure proprietary schools were fit enough to attract healthy, diverse sources of revenue.⁵¹ In other words, it was intended to prevent bad-actor schools from subsisting entirely off federal taxpayer money. To that end, Congress crafted a rule requiring that proprietary schools obtain a minimal amount of their revenue, now just 10 percent, from sources other than federal financial aid.⁵²

Unfortunately, the law suffered from a critical oversight—it excluded VA and Department of Defense (DOD) education benefits like the GI Bill and Tuition Assistance.⁵³ This loophole created a perverse incentive for bad-

⁵⁰ STATEMENT OF JESSICA ROSEWORCEL COMMISSIONER FEDERAL COMMUNICATIONS COMMISSION BEFORE THE SUBCOMMITTEE ON COMMUNICATIONS & TECHNOLOGY COMMITTEE ON ENERGY AND COMMERCE UNITED STATES HOUSE OF REPRESENTATIVES SEPTEMBER 17, 2020. <<https://docs.fcc.gov/public/attachments/DOC-366984A1.pdf>>

⁵¹ See generally *Cleland v. National Coll. of Business*, 435 U.S. 213, 216 (1978) (discussing the purpose of the Department of Veterans Affairs’ 85-15 rule—the model for the 90/10 rule—as “allowing the free market mechanism to operate” by ensuring “[t]he price of the course...respond[ed] to the general demands of the open market as well as to those with available Federal moneys to spend.”).

⁵² The original rule required proprietary institutions to obtain at least 15 percent of their revenue from sources other than title-IV federal financial aid. Pub. L. No. 102-325 (1992). Congress amended the rule in 1998 to require that these schools earn just 10 percent of their revenue from sources other than federal financial aid. Pub. L. No. 105-244 (1998).

⁵³ It is clear the loophole was an unintentional oversight because that is how congressional staff who drafted the rule’s statutory language described it afterward, and because excluding such massive sources of federal education assistance flies in the face of the law. See WALTER OCHINKO, VETERANS EDUCATION SUCCESS, DEPARTMENT OF EDUCATION DATA SHOWS INCREASED TARGETING OF VETERANS AND SERVICE MEMBERS, HIGHLIGHTING URGENCY OF CLOSING 90/10 LOOPHOLE 3-4 (Nov. 2017), available at <https://static1.squarespace.com/static/556718b2e4b02e470eb1b186/t/5a043bdfc83025336298845f/1510226911840/VES+90%3A10+Report+-+FINAL.pdf> (citing Daniel Golden, *For Profit Colleges Target the Military*, BLOOMBERG NEWS (Dec. 30, 2009), available at

actor schools to target student veterans and service members for their earned education benefits.⁵⁴ These students became the linchpin of a scheme by low-quality, bad-actor schools to evade the 90/10 rule.⁵⁵ For every one VA or DOD education benefit dollar that bad-actor schools took in from service members and veterans, they gained access to another nine dollars in federal financial aid.⁵⁶ The result was that bad schools had a pathway to subsist entirely off federal taxpayer dollars.

The loophole's impact on student veterans and service members has been disastrous. Bad-actor institutions employed well-documented, deceptive, aggressive, and downright fraudulent recruitment tactics to enroll student veterans.⁵⁷ Some student veterans attending these schools fully expended their earned VA education benefits, and many took out federal student loans in addition.⁵⁸ Low-quality schools have left student veterans with worthless degrees, non-transferrable credits, depleted benefits, and mountains of debt.⁵⁹ Simply put, the loophole emboldened bad-actor schools and negatively impacted the academic and financial futures of thousands of student veterans and service members.⁶⁰

Fortunately, Congress saw fit to close the loophole, an effort which garnered bipartisan support.⁶¹ The new law requires that all "federal education assistance" be appropriately counted on the 90 percent side of the 90/10 equation.⁶² Congress delayed the law's implementation until January 1, 2023 and subjected the change to negotiated rulemaking to begin no later than October 1, 2021.⁶³

<https://www.bloomberg.com/news/articles/2009-12-30/for-profit-colleges-target-the-military>).

⁵⁴ See Tanya Ang and Lauren Augustine, *The '90-10 rule' in higher education is a target on veterans' backs*, THE HILL (June 24, 2019, 7:00 AM), <https://thehill.com/opinion/education/449445-the-90-10-rule-in-higher-education-is-a-target-on-veterans-backs>.

⁵⁵ See ALEXANDRA HEGJI, CONGRESSIONAL RESEARCH SERVICE, R46773, THE 90/10 RULE UNDER HEA TITLE IV: BACKGROUND AND ISSUES 40 at n.50 (April 26, 2021) (referencing "several reports of false or predatory marketing or advertising practices on the part of some proprietary IHEs attempting to enroll GI Bill and TA participants, in part to pass the 90/10 requirement."), *available at* <https://files.eric.ed.gov/fulltext/ED614219.pdf>.

⁵⁶ OCHINKO, *supra* note 53 at 4.

⁵⁷ See generally *Why For-Profit Institutions are Targeting Veterans Educational Benefits*, VETERANS EDUCATION SUCCESS (Jan. 1, 2014), <https://vetsedsuccess.org/why-for-profit-institutions-are-targeting-veterans-education-benefits> (summarizing numerous accounts of predatory recruitment of student veterans at bad-actor proprietary institutions); U.S. SENATE HEALTH, EDUCATION, LABOR, AND PENSIONS COMM., 113TH CONG., IS THE NEW G.I. BILL WORKING? FOR-PROFIT COLLEGES INCREASING VETERAN ENROLLMENT AND FEDERAL FUNDS 9-11 (July 30, 2014), *available at* <https://static1.squarespace.com/static/556718b2e4b02e470eb1b186/t/56100b87e4b0147725a71e86/1443892103628/GI-Bill-data-July-2014-HELP-report.pdf>.

⁵⁸ IS THE NEW G.I. BILL WORKING?, *supra* note 57 at 10-11; OCHINKO, *supra* note 53 at 13 (discussing reports of proprietary schools aggressively steering student veterans toward federal student loans or fraudulently authorizing loans on behalf of these students).

⁵⁹ See generally IS THE NEW G.I. BILL WORKING?, *supra* note 57 at 9-11 (discussing the aggressive and deceptive recruitment of student veterans at proprietary institutions and the consequences for these students such as debt, inability to find a job after graduation, and wasted GI Bill benefits); *Why For-Profit Institutions are Targeting Veterans Educational Benefits*, *supra* note 57 (discussing student veterans attending bad-actor proprietary institutions and being left with worthless degrees, non-transferable credits, and debt).

⁶⁰ See generally Kimberly Hefling, *Vets snared in for-profit college collapse want GI Bill Money back*, POLITICO (July 2, 2015), <https://www.politico.com/story/2015/07/veterans-gi-bill-for-profit-colleges-119697>; Chris Kirkham and Alan Zarembo, *For-profit colleges are using the GI Bill to make money off veterans*, LOS ANGELES TIMES (Aug. 18, 2015), <https://www.latimes.com/business/la-fi-for-profit-colleges-gi-bill-20150809-story.html>; Danielle Douglas-Gabriel, *Veterans are getting short shrift as for-profit colleges close down, report says*, THE WASHINGTON POST (Oct. 21 2016), <https://www.washingtonpost.com/news/grade-point/wp/2016/10/21/veterans-are-getting-the-short-shrift-as-for-profit-college-close-down-report-says/>.

⁶¹ Pub. L. No. 117-2, § 2013 (2021); *U.S. Senate Closes 90/10 Loophole in Bipartisan Amendment to COVID Relief Reconciliation Package*, VETERANS EDUCATION SUCCESS (March 6, 2021), <https://vetsedsuccess.org/u-s-senate-closes-90-10-loophole-in-bipartisan-amendment-to-covid-relief-reconciliation>; see also Protect Veterans' Education and Taxpayer Spending Act of 2019, S. 2857, 116th Cong. (2019) (demonstrating landmark bipartisan support for an earlier legislative effort in the Senate to close the 90/10 loophole).

⁶² Pub. L. No. 117-2, § 2013 (2021).

⁶³ *Id.*

Encouraged by ED's release of new regulations that appropriately complement the statute, SVA is committed to ensuring the updated 90/10 rule is faithfully implemented and that parties beholden to its requirements comply with the full letter of the law.⁶⁴

3. *Restore a strong Gainful Employment rule and protect the improved Borrower Defense rule to defend students and taxpayers against fraud, waste, and abuse.*

Borrower Defense to Repayment (BD) and Gainful Employment (GE) are important policies that can protect students against bad actors and low-quality institutions in higher education. The BD rule is supposed to provide federal student loan relief to students who were defrauded by bad-actor schools.⁶⁵ The GE rule was designed to ensure certain programs provide a worthwhile education—one that is affordable relative to earnings after graduation.⁶⁶ Together, these measures can help protect both students and taxpayers against fraud, waste, and abuse.

The BD and GE policies were meant to provide critical assurances that guard students against bad actors in higher education. The 2015 and 2016 closures of ITT Technical Institute and Corinthian Colleges respectively highlight why these policies are so important for student veterans. These schools closed abruptly after being mired in controversy for having allegedly engaged in false or deceptive representations to students. After the schools closed, thousands of students were left with debt, depleted education benefits, and few, if any, viable ways to transfer credits to other institutions to continue their educations.⁶⁷ The events surrounding ITT and Corinthian Colleges were not isolated occurrences, with thousands of student veterans impacted by other proprietary school closures in the years that followed.⁶⁸ The documentary *Fail State* illuminates the practices of bad actor schools in higher education by revealing their aggressive recruiting practices, poor student outcomes, and how they contribute to growing student debt in America.⁶⁹

The Forever GI Bill sought to correct some of the damage done by low-quality institutions that shut down by allowing beneficiaries to restore GI Bill entitlement. However, for student veterans and service members who hold federal student loans, BD may be their only option for relief after being defrauded. The Gainful Employment rule could work to protect students at the outset of their academic journey by ensuring that only quality career education programs have access to title IV funds.

Unfortunately, BD was substantially weakened in recent years, and GE was rescinded altogether in 2019. SVA opposed these rollbacks and continues to work to restore these important student safeguards. In 2020, SVA was proud to partner with a diverse coalition of student groups and VSOs that led the charge to overturn ED's weakening of the BD rule. That effort resulted in a bipartisan rebuke of the new regulation in both houses of

⁶⁴ See generally *Education Department Unveils Final Rules to Protect Veterans and Service Members, Improve College Access for Incarcerated Individuals and Improve Oversight When Colleges Change Owners*, U.S. DEP'T OF EDUCATION (Oct. 22, 2022), <https://www.ed.gov/news/press-releases/education-department-unveils-final-rules-protect-veterans-and-service-members-improve-college-access-incarcerated-individuals-and-improve-oversight-when-colleges-change-owners>.

⁶⁵ *Why Students Need a Strong Borrower Defense Rule*, THE INSTITUTE FOR COLLEGE ACCESS AND SUCCESS, 1 (2021), <https://ticas.org/wp-content/uploads/2021/02/Why-Students-Need-a-Strong-Borrower-Defense-Rule.pdf>.

⁶⁶ *Why Students Need a Strong Gainful Employment Rule*, THE INSTITUTE FOR COLLEGE ACCESS AND SUCCESS, 1 (2021), <https://ticas.org/wp-content/uploads/2021/02/Why-Students-Need-a-Strong-Gainful-Employment-Rule.pdf>.

⁶⁷ See generally *Why Students Need a Strong Borrower Defense Rule*, THE INSTITUTE FOR COLLEGE ACCESS AND SUCCESS (2021), <https://ticas.org/wp-content/uploads/2021/02/Why-Students-Need-a-Strong-Borrower-Defense-Rule.pdf>.

⁶⁸ Natalie Gross, *Thousands of veterans had education derailed when for-profit college chains abruptly closed*, MILITARY TIMES (June 20, 2019), <https://rebootcamp.militarytimes.com/news/education/2019/06/20/thousands-of-veterans-had-education-derailed-when-for-profit-college-chains-abruptly-closed/>.

⁶⁹ DIRECTOR ALEX SHEBANOW, *FAIL STATE*, FAILSTATE.COM (A SDCF LLC Film 2018), <https://failstatemovie.com>.

Congress.⁷⁰

ED recently reevaluated BD and GE regulations through the Negotiated Rulemaking process as required under the HEA.⁷¹ This process incorporates input from diverse experts representing constituencies throughout higher education who debate and work toward consensus on HEA regulations. SVA was privileged to have one of our staff represent service members and veterans in the negotiated rulemaking session that addressed BD. The negotiations produced strong draft regulatory language that enjoyed near universal consensus among negotiators. SVA was pleased to see the Department release a vastly improved, new BD rule resulting from this thorough negotiation and comment process.⁷²

We look forward to continued participation in the rulemaking ahead and eagerly await the Department's proposed rule on GE, which is expected later this year.

SVA encourages members of Congress to support, defend, and strengthen these critical policies that protect student veterans, service members, and their families.

4. *Improve oversight and accountability of trends in higher education such as institutional conversions, online program management, and lending practices.*

Today's students, including student veterans, have more learning options than ever, with many, quite literally, right at their fingertips. These new, often innovative ways of learning are compelling options for post-traditional students, like student veterans, especially as the cost of higher education and student loan debt continue to rise. As higher education changes, it is important that policy makers weigh the risks and benefits posed to students by new learning options and investigate ways to address affordability more broadly.

Bad-actor proprietary schools in higher education have come under increased scrutiny in recent years, due in large part to numerous high-profile closures and repeated allegations of fraud. As these schools face growing attention from legislators, regulators, and law enforcement, there has been a corresponding trend in schools converting to non-profit status or being acquired by or rebranding under the umbrella of public institutions.

The overarching concern with conversions is that a converting proprietary school may not sufficiently untangle itself from its former profit-driven motives and structure.⁷³ This means students, including veterans and service members who enroll at these institutions at disproportionate rates,⁷⁴ run the risk of believing converted schools are dedicated to a public or non-profit mission when, in reality, the schools may still prioritize profits over student outcomes.⁷⁵

⁷⁰ Michael Stratford, *Congress sends rebuke of DeVos 'borrower defense' rule to Trump's desk*, POLITICO (May 19, 2020, 9:29 PM), <https://www.politico.com/news/2020/05/19/congress-devos-rebuke-270077>.

⁷¹ *Negotiated Rulemaking for Higher Education 2021-21*, U.S. DEP'T OF EDUCATION, <https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html> (last updated January 10, 2023).

⁷² *See generally Education Department Releases Final Regulations to Expand and Improve Targeted Debt Relief Programs*, U.S. DEP'T OF EDUCATION (Oct. 31, 2022), <https://www.ed.gov/news/press-releases/education-department-releases-final-regulations-expand-and-improve-targeted-debt-relief-programs>.

⁷³ *See generally* Robert Shireman, *How For-Profits Masquerade as Non-profit Colleges*, THE CENTURY FOUNDATION (Oct. 7, 2020), <https://tcf.org/content/report/how-for-profits-masquerade-as-nonprofit-colleges/>.

⁷⁴ CAREN A. ARBEIT AND LAURA HORN, U.S. DEPARTMENT OF EDUCATION, A PROFILE OF THE ENROLLMENT PATTERS AND DEMOGRAPHIC CHARACTERISTICS OF UNDERGRADUATES AT FOR-PROFIT INSTITUTIONS 16 (Feb. 2017), *available at* <https://nces.ed.gov/pubs2017/2017416.pdf> (explaining that "Compared with other undergraduates, larger percentages of students at for-profit institutions were military students (9 percent vs. 4 percent in public and nonprofit). Military students constituted a larger percentage of students enrolled at for-profit 4-year institutions than at any other level of for-profit institution (12 percent vs. 2–7 percent), public (3–5 percent), or nonprofit institution (4 percent).").

⁷⁵ *See generally* Robert Shireman, *These Colleges Say They're Nonprofit—But Are They?*, THE CENTURY FOUNDATION (Aug. 6, 2018),

These concerns are exacerbated by the growing adoption of online content in higher education, which has been compounded itself by the forced shift to online learning during the pandemic. The growth in online programs has given rise to a concerning method of conversion where public or non-profit institutions acquire for-profit schools to manage online courses.⁷⁶ This is an appealing maneuver for some public and non-profit schools looking to expand online options because certain proprietary institutions have well-established, robust capacity for online program management. These arrangements have also come under scrutiny because schools—even prominent ones—will cede core responsibilities, like student recruitment, to proprietary OPMs in lucrative revenue-sharing deals.⁷⁷ Such contracts run the risk of recruitment and profits being prioritized over quality student outcomes.⁷⁸

Institutional conversion was addressed to some extent in VA laws through additional oversight measures passed in the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020*. Specifically, the law increased oversight of converted proprietary institutions by subjecting them to annual risk-based reviews for three years following conversion.⁷⁹ We thank Congress for passing this important oversight measure. Still, as a recent GAO report illuminates, these conversions continue to pose major risks to students.⁸⁰

In recent years, higher education has seen a boom in innovations with the potential to expand pathways to higher education to untold numbers of new students. These innovations, like distance education programs and competency-based education models, offer compelling incentives to students and institutions as alternatives to traditional brick-and-mortar classes. The affordability and flexibility of these programs are key selling points among post-traditional students, like veterans, but these new trends are not without risk.

As we reshape how we think of workforce development, and the interactions between students and institutions, we must commit to fully understanding these trends and establish appropriate guardrails to protect students from unscrupulous actors and low-quality programs. We encourage Congress to continue monitoring institutional conversions as well as online program management and to legislate additional safeguards where appropriate to protect students. SVA was encouraged by ED's launch of a review of the prohibition on incentive compensation for recruiters in higher education, an effort specifically intended to address issues with OPMs. We intend to follow this process closely.⁸¹

Institutional lending practices are also worthy of Congress's attention. The CFPB recently signaled they would begin reviewing such activity. The Bureau identified the following areas of concern: enrollment restrictions, transcript withholding, improper payment acceleration, failure to issue refunds, and improper lending

<https://tcf.org/content/commentary/colleges-say-theyre-nonprofit/>; Robert Shireman and Yan Cao, *Dubious Conversions of For-Profit Colleges: Decoding the GAO Report*, THE CENTURY FOUNDATION (Jan 27, 2021), <https://tcf.org/content/commentary/dubious-conversions-profit-colleges-decoding-gao-report/>.

⁷⁶ See generally Lindsay McKenzie, *University of Arizona's Big Online Push*, Inside Higher Ed (Aug. 4, 2020), <https://www.insidehighered.com/news/2020/08/04/university-arizona-acquires-ashford-university>.

⁷⁷ See *TCF Analysis of 70+ University-OPM Contracts Reveals Increasing Risks to Students, Public Education*, THE CENTURY FOUNDATION (Sept. 12, 2019), <https://tcf.org/content/about-tcf/tcf-analysis-70-university-opm-contracts-reveals-increasing-risks-students-public-education>; See also Lindsay McKenzie, *Key Senators Turn Up Heat on OPMs*, INSIDE HIGHER ED (Feb. 5, 2020), <https://www.insidehighered.com/news/2020/02/05/online-program-management-companies-face-washington-microscope>.

⁷⁸ See *TCF Analysis of 70+ University-OPM Contracts Reveals Increasing Risks to Students, Public Education*, THE CENTURY FOUNDATION (Sept. 12, 2019), <https://tcf.org/content/about-tcf/tcf-analysis-70-university-opm-contracts-reveals-increasing-risks-students-public-education>.

⁷⁹ Johnny Isakson and David P. Roe, M.D., *Veterans Health Care and Benefits Improvement Act of 2020*, Pub. L. No. 116-315, Title I, Subtitle A, § 1022.

⁸⁰ See Robert Shireman and Yan Cao, *Dubious Conversions of For-Profit Colleges: Decoding the GAO*, THE CENTURY FOUNDATION (Jan. 27, 2021), <https://tcf.org/content/commentary/dubious-conversions-profit-colleges-decoding-gao-report/>.

⁸¹ *U.S. Department of Education Launches Review of Prohibition on Incentive Compensation for College Recruiters*, U.S. DEP'T OF EDUCATION (Feb. 15, 2023), <https://www.ed.gov/news/press-releases/us-department-education-launches-review-prohibition-incentive-compensation-college-recruiters>.

relationships.⁸²

Some institutions have also begun offering an alternative financing product to traditional private student loans. This product, known as an Income Share Agreement (ISA), is an arrangement between the institution or other lender and a student which provides the student with up-front cash to pay for their studies and ties their monthly repayment amount to their post-graduation earnings. These agreements are attractive to students because there is no interest and because repayment is often capped both as to term and amount. As with any financial product, however, there are risks involved, and students may be unable to identify them.⁸³ This is particularly problematic given that many proponents of ISAs argue that these agreements are exempt from federal consumer credit laws.⁸⁴

We ask that Congress be mindful of these and other institutional lending issues as it crafts legislation that may provide the opportunity for any needed oversight in this area.

VA Modernization

1. *Monitor VA's ongoing efforts to modernize IT and communications systems, including implementation of the Digital GI Bill.*

Typically, using the GI Bill is one of the first interactions a newly transitioned veteran will have with VA in the universe of post-service benefits and programs.⁸⁵ This means a seamless GI Bill process is key to establishing trust and confidence in the agency with every veteran they serve.

In turn, SVA has been a vocal supporter of a full-scale IT modernization effort at VA for a long time.⁸⁶ To meet the needs of our veterans, VA Education Service platforms must become a system that can adapt and change with the evolving landscape of higher education. This modernization effort is already underway thanks to the steps Congress took to provide VA with the funds needed to start this process.⁸⁷ We appreciate VA's prompt efforts to begin implementing these changes. Still, the project is ongoing, and we will continue to call on Congress to provide the necessary funds to complete the task. In addition, strong oversight of this years-long process must be maintained as student veterans cannot afford for it to falter.

⁸² *Consumer Financial Protection Bureau to Examine Colleges' In-House Lending Practices*, CFPB (Jan. 20, 2022), <https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-to-examine-colleges-in-house-lending-practices/>.

⁸³ STUDENT BORROWER PROTECTION CENTER, *SOLVING THE STUDENT DEBT CRISIS OR COMPOUNDING THE CRISIS?* (2020), *available at* https://protectborrowers.org/wp-content/uploads/2020/07/SBPC_Hayes_Milton_Relman_ISA.pdf.

⁸⁴ STUDENT BORROWER PROTECTION CENTER, *CREDIT BY ANY OTHER NAME 5* (2020), *available at* https://protectborrowers.org/wp-content/uploads/2020/07/Pearl.Shearer_Credit-By-Any-Other-Name.pdf.

⁸⁵ *See generally Journeys of Veterans Map*, U.S. DEPARTMENT OF VETERANS AFFAIRS, *Journeys of Veterans Map*, <https://www.blogs.va.gov/VAntage/wp-content/uploads/2020/02/Veteran-Journey-Map.pdf>; (last visited Feb. 25, 2021); VA Welcome Kit, DEPARTMENT OF VETERANS AFFAIRS, *VA Welcome Kit* (Nov. 12, 2020) <https://www.va.gov/welcome-kit>.

⁸⁶ *See generally* STUDENT VETERANS OF AMERICA, *TESTIMONY BEFORE THE SUBCOMMITTEE ON ECONOMIC OPPORTUNITY AND TECHNOLOGY MODERNIZATION OF THE H. COMM. ON VETERANS' AFFAIRS ON MOVING BEYOND PATCHWORK SYSTEMS: THE FUTURE OF EDUCATION SERVICES IT*, 116th Cong. (Sept. 16, 2020), *available at* https://studentveterans.org/wp-content/uploads/2020/09/HVAC-EO_-IT_Testimony_Sept16_2020.pdf; STUDENT VETERANS OF AMERICA, *TESTIMONY BEFORE THE H. AND S. COMMS. ON VETERANS' AFFAIRS ON LEGISLATION PRIORITIES OF 2020*, 116th Cong. 6 (March 3, 2020), *available at* <https://www.veterans.senate.gov/imo/media/doc/03.03.2020%20-%20SVA%20Testimony.pdf>; STUDENT VETERANS OF AMERICA, *TESTIMONY BEFORE THE H. AND S. COMMS. ON VETERANS' AFFAIRS ON LEGISLATIVE PRIORITIES OF 2019*, 116th Cong. 7 (March 7, 2019), *available at* <https://www.veterans.senate.gov/imo/media/doc/5%20-%20SVA%20Testimony%2003.07.19.pdf>.

⁸⁷ Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Div. J, Title V, § 515.

SVA recommends taking full advantage of the ongoing modernization effort at VA and establishing pre-emptive, automatic qualification to transferring service members and electronic Certificate of Eligibility (COE) disbursal. This is one of the most obvious and impactful ways to turn the modernization effort into a reality for our veterans.

SVA looks forward to working with committee members and officials at VA to ensure this modernization effort is successful. The educational experiences of current and future generations of student veterans depend on it.

2. *Establish a Veteran Economic Opportunity and Transition Administration with Undersecretary representation for all economic opportunity and transition programs.*

Greater focus must be placed on economic opportunity for veterans, including through higher education.⁸⁸ This would be best achieved by building on the early success of the new office at VA dedicated to transition and economic opportunity and elevating it, and Education Service, to its own administration at VA. Presently, economic opportunity programs such as the GI Bill, home loan guaranty, and many other empowering programs for veterans are buried within the bureaucracy of VBA and functionally in competition against disability compensation policy for internal resources.

Over the past century, VA has focused on compensating veterans for loss, but the reality of the 21st century and beyond demands the additional goal of empowering veterans to excel post-service. Critically, this will further advance our nation's goals of enhancing economic competitiveness. A focus on veteran contributions to business and industry, to governments, to non-profit organizations, and to communities through the best education programs in our country will result in impressive returns on the taxpayers' investments.

3. *Improve VA Work Study to increase pay and expand job opportunities, so they better align with student goals.*

SVA has received valuable feedback from student veterans in recent years about how VA can continue to modernize the work-study program. One issue raised regularly is the substantial disparity in job opportunities available to students participating in the VA Work-Study program compared to those available through Federal Work Study. VA Work-Study students are largely required to work in roles directly related to VA. This limitation greatly diminishes VAWS students' ability to learn and develop the skillsets they need to enter the broader workforce.

To begin addressing this disparity, the recent Isakson-Roe bill re-established the ability of students to qualify for VA Work-Study when performing veteran liaison duties for members of Congress.⁸⁹ This is a step in the right direction, and we greatly appreciate the work these Committees did to expand the program to include these opportunities, but more can be done to expand opportunities available to student veterans through the program.

We continue working with former VFW-SVA Fellow, John Randolph of Penn State University to recommend important changes to the VAWS system. Specifically, he proposes broadening the pool of qualifying work-study jobs and improving the payment rate and structure.

While not a member of these Committees, SVA recognizes Congressman Cartwright's stellar leadership on this issue by successfully pushing to include language in last year's government funding package that encourages VA to begin collecting critical data on the VAWS program. Representative Cartwright also introduced what is arguably the most comprehensive VAWS improvement legislation in recent memory with H.R. 9379, *the VA Work Study Improvement Act*. This bill would expand allowable work activities, update pay rates, and modernize the time-keeping process, among other things. SVA looks forward to the bill being reintroduced this Congress, and we

⁸⁸ See DISABLED AMERICAN VETERANS, PARALYZED VETERANS OF AMERICA, AND THE VETERANS OF FOREIGN WARS., THE INDEPENDENT BUDGET – VETERANS AGENDA FOR THE 116TH CONGRESS. Retrieved from: 120 (2019), *available at* http://www.independentbudget.org/pdf/IndependentBudget_2019.pdf (explaining that “[t]his nation should have as much focus on the economic opportunities for veterans as it does for their health care and benefits”).

⁸⁹ Johnny Isakson and David P. Roe, M.D., Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, Title I, Subtitle A, § 1006.

highly encourage the members of these Committees to support it.

4. *Support ongoing improvements to the GI Bill Comparison and Feedback Tools.*

The Comparison Tool can be invaluable to veterans trying to understand the value of their GI Bill as they consider their educational options.

As it stands, the lack of coordination between ED and VA on College Navigator, College Scorecard, and GI Comparison Tool reduces the overall delivery of powerful data to veterans.⁹⁰ The Comparison Tool has unique data, justifying itself as a separate tool from ED's options, but the underlying data is not being shared effectively between these tools, leaving prospective students an incomplete view of their options. We encourage members to explore ways to better share and integrate the data across ED and VA resources.

SVA also believes student outcome measures should be displayed in the GI Bill Comparison Tool. Establishing the appropriate data feeds and displaying the information in the tool would require IT upgrades that fit neatly alongside those currently happening at VA. In one of the most common-sense recommendations we have, each institution should be required to disclose how effective it is at delivering on its promise to students. By informing military-connected students about the effectiveness of GI Bill-eligible programs, we allow them to make informed decisions about how to spend their education benefits.

Additionally, we ask that these Committees encourage VA to note whether an institution participates in the VA VITAL Program. The GI Bill Comparison Tool highlights whether institutions participate in the Yellow Ribbon Program; it should do the same for VITAL which can provide critical mental health support for student veterans, assistance with academic accommodations, and foster a more veteran-inclusive culture on campuses.

The GI Bill Comparison Tool also suffers from a lack of detailed information about student complaints. For any given school, the tool simply shows a tally of complaints across broad categories. The tool also only publishes complaints from the prior 24 months. We have previously provided specific recommendations to address these issues in a public comment on VA's continued collection of information through the GI Bill Feedback Tool:

VA should publish and maintain a comprehensive database of all school-specific complaints submitted through the Feedback Tool. Students should be given the option to disclose their narrative comments publicly, and those comments should be included in the database. The feedback database should be presented in a familiar interface, preferably one that mirrors other popular review websites. This means it should include helpful user features like search, filters, and sorting. We further recommend the Department include a link on each school's profile page in the GI Bill Comparison Tool that directs students to a full, detailed list of complaints submitted about that institution. This will help students identify and better understand the true nature of complaints submitted about each school. It will also improve the ability of advocates and researchers to monitor and analyze past and present institutional compliance with the Principles of Excellence and other laws.⁹¹

To address concerns about fake or inaccurate reports, we believe VA should verify that reports come from current or former students of the institution for which feedback is being provided and that schools be given the opportunity to issue public responses to complaints.

⁹⁰ See generally *College Navigator*, NATIONAL CENTER FOR EDUCATION STATISTICS, US DEPARTMENT OF EDUCATION, <https://nces.ed.gov/collegenavigator> (last visited March 1, 2020); *College Scorecard*, US DEPARTMENT OF EDUCATION, <https://collegescorecard.ed.gov> (last visited March 1, 2020); *GI Bill Comparison Tool*, US DEPARTMENT OF VETERANS AFFAIRS, <https://www.va.gov/gi-bill-comparison-tool/> (last visited Feb. 24, 2021).

⁹¹ *SVA Comment on OMB Control No. 2900-0797 Agency Information Collection Activity: Principles of Excellence Complaint System Intake*, STUDENT VETERANS OF AMERICA 3 (2020), available at <https://www.regulations.gov/comment/VA-2020-VACO-0001-0084>.

VA should also place caution flags on schools in the GI Bill Comparison Tool that receive an inordinate number of student complaints. VA currently only places caution flags on schools with a program of education subject to “increased regulatory or legal scrutiny” by VA or other federal agencies.⁹² We support this use of caution flags, but student veterans also deserve to be alerted when a school has received a troubling number of student complaints.

We also ask that VA develop a mechanism to maintain closed schools within the tool, versus having them simply disappear. This removal of schools from the tool means associated data also disappears, leaving significant gaps in the overall picture for how those schools served students. We look forward to working with Congress and VA to update this valuable resource so it can better serve student veterans, service members, and their families.

SVA applauds Senators Schatz, Rounds, Portman, and Coon’s leadership on this issue with their championing of the *Student Veterans Transparency and Protection Act* last congress. The bill would make numerous improvements to the GI Bill Comparison and Feedback tools, while also providing entitlement restoration for beneficiaries that are the victims of misconduct perpetrated by bad-actor institutions. We look forward to that bill being reintroduced this Congress and encourage the Committees’ members to support it as well the other improvements we have outlined here. Finally, we acknowledge and applaud VA’s current efforts to address many of the recommendations above, and we look forward to working in close collaboration with the Department as it continues to refine these important tools.

5. *Protect and restore study abroad opportunities for GI Bill and VR&E students.*

In August 2020, VA enacted a revised interpretation of 38 U.S.C. § 3680A(f), the statute underlying the approvals of study abroad programs for student veterans. These new requirements restricted students’ ability to attend some of the most common and popular study abroad programs available.⁹³ In response to these changes, SVA and NAFSA wrote a letter to Secretary McDonough asking him to reconsider these administrative changes that create obstacles to student veterans pursuing study abroad.⁹⁴ VA’s response to our letter made clear that the agency believes their revised interpretation is strictly compliant with the underlying statute and they have no room to provide relief to the affected students.⁹⁵

While we understand VA’s position as appropriate to the letter of the law, we believe this change creates unnecessary obstacles to an increasingly necessary component of many higher education programs and inequity between the treatment of student veterans and Title IV students as it relates to studying abroad. SVA believes that student veterans should be given the same opportunity to study abroad and develop the skillset they need to enter a global workforce as ED provides their Title IV classmates.

In short, and as seen in our joint letter to VA:

“It is vital to ensure all students have access to a quality education that will prepare them for the global workforce into which they will graduate. Therefore, we urge the Department to work with relevant stakeholders in higher education and study abroad to review the current VBA guidance on the use of Post-9/11 GI Bill benefits for study abroad and to consider following a similar approach to that of the U.S.

⁹² *GI Bill® Comparison Tool: About This Tool*, U.S. DEPARTMENT OF VETERANS AFFAIRS (June 11, 2020), https://www.benefits.va.gov/gibill/comparison_tool/about_this_tool.asp#sourcedata.

⁹³ Institute of International Education (IIE), “Duration of Study Abroad,” Open Doors Report 2020 (New York: IIE, 2020), <https://opendoorsdata.org/data/us-study-abroad/duration-of-study-abroad>.

⁹⁴ Letter from NAFSA and SVA to the Honorable Denis R. McDonough, Secretary of the Department of Veterans Affairs (April 20, 2021), <https://www.nafsa.org/sites/default/files/media/document/nafsa-sva-042021.pdf>.

⁹⁵ Letter from Thomas J. Murphy, Acting Under Secretary of Benefits to NAFSA and SVA (June 15, 2021), <https://www.nafsa.org/sites/default/files/media/document/va-nafsa-061521.pdf>.

*Department of Education's Title IV Federal Student Aid program, which allows the use of these funds for study abroad programs that award academic credit.*⁹⁶

Thankfully, these Committees stewarded critical legislation last year that passed as part of the *Veterans Auto and Education Improvement Act of 2022*, which provides a five-year grace period allowing additional study abroad programs to be approved for VA education benefits subject to certain requirements. SVA is grateful for the Committees' work on this issue. Concerningly, however, as of the drafting of this testimony, we understand VA has yet to disseminate guidance to institutions on this new approval process.

We look forward to working with the Committees to ensure timely and effective implementation of the new study abroad approval provision.

Transparency and Accountability

1. *Improve data collection and sharing practices across government agencies and call for more publicly available data, including timelier and more accurate counts of transitioning servicemembers.*

There are many ways to improve data collection practices across government so we can better serve student veterans and military-connected students. One of the most important things we need is accurate and timely data on how many service members transition each year. From the government agencies most closely connected with and specifically tasked with serving this population, including DOD, DOL, and VA to private research initiatives, like the Veterans Metrics Initiative, the commonly cited figure is that approximately or more than 200,000 service members transition every year.⁹⁷ SVA has reason to believe that is not accurate. As such, we are calling on Congress to put greater pressure on DOD to release more accurate and timely data on the number of transitioning service members.

2. *Call for improved data and studies on how student debt impacts student veterans, service members, and their families.*

The rising level of student debt is a well-documented issue facing today's college students, with this debt growing by more than 100 percent between 2010 and 2020 and the cumulative national total surpassing \$1.7 trillion.⁹⁸ What is less understood is how student debt specifically impacts student veterans. SVA's annual census data confirms that some veterans graduate with student debt, but exactly why this is and how it affects their academic and financial futures remains unknown.

SVA has been privileged to welcome the Pew Charitable Trusts to our National Conferences in recent years to present research about veteran student debt. Findings indicate more than a quarter of student veterans borrowed student loans in the 2015-16 academic year.⁹⁹ Pew's analysis also shows most student veterans who borrow

⁹⁶ Letter from NAFSA and SVA to the Honorable Denis R. McDonough, Secretary of the Department of Veterans Affairs (April 20, 2021), <https://www.nafsa.org/sites/default/files/media/document/nafsa-sva-042021.pdf>.

⁹⁷ *Military Discharge Data*, DODSKILLBRIDGE, <https://skillbridge.osd.mil/separation-map.htm> (last updated, April 22, 2022); THE U.S. DEPARTMENT OF VETERANS AFFAIRS, *THE MILITARY TO CIVILIAN TRANSITION 2018 III* (2018), available at <https://benefits.va.gov/TRANSITION/docs/mct-report-2018.pdf>; *Your VA Transition Assistance Program (TAP)*, THE U.S. DEP'T OF VETERANS AFFAIRS, <https://www.benefits.va.gov/transition/tap.asp> (last updated Nov. 10, 2022), HARRY M. JACKSON FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE, *THE VETERANS METRICS INITIATIVE 1* (202), available at https://www.hjf.org/sites/default/files/2020-11/TVM1%20FinalRpt_4%5B1%5D.pdf.

⁹⁸ See Abigail Johnson Hess, *U.S. student debt has increased by more than 100% over the past 10 years*, CNBC (Dec. 22, 2020), <https://www.cnbc.com/2020/12/22/us-student-debt-has-increased-by-more-than-100percent-over-past-10-years.html> (citing Federal Reserve figures).

⁹⁹ Phillip Oliff, Ama Takyi-Laryea, Scott Brees & Richa Bhattarai, *Veteran Student Loan Debt Draws New Attention*, PEW (Sept. 13, 2021), <https://www.pewtrusts.org/en/research-and-analysis/articles/2021/09/13/veteran-student-loan-debt-draws-new-attention>.

student loans do so to cover living expenses.¹⁰⁰ The research so far has been illuminating, and SVA looks forward to the release of additional insights.

We believe more can be done at the federal level to improve data collected on veteran student loan debt and to make it available to the public. Better understanding this debt is critical before determining what must be done to address it. To do so, SVA recommends these Committees consider creating new federally funded research grants to support student veteran research initiatives.

We look forward to amplifying future data in this area and working with Congress, VA, and ED to identify ways the federal government can improve data gathered on student loan debt held by veterans.

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In closing, SVA is grateful for the opportunity to submit testimony on our policy priorities for the 2023 legislative calendar. Our top priorities are codifying the temporary COVID-19 protections, improving support for student veterans' basic needs, Guard and Reserve benefit parity, MHA reform, integrating VHA onto college campuses, and making Vet Tec permanent. They are the best ways we have identified to improve our nation's student veterans' physical, emotional, and financial well-being. By addressing these issue areas, our country delivers on the promise we made every veteran the day they chose to serve – that service to our country would not just be rewarding on its own but would leave veterans better off than when they joined.

President Franklin Delano Roosevelt transformed America into the modern nation we know today. His administration launched massive programs and agencies like Social Security, the SEC, and more. Then in 1944, he signed into law a 'little' program being called "the Servicemen's Readjustment Act," better known as the GI Bill. But this 'GI Bill idea' almost never made it out of congress; there were some who said this new program would be the ruin of our returning GI's.

The President of Harvard famously penned, "We may find the least capable among the war generation, instead of the most capable, flooding the facilities for advanced education in the United States." And the President of the University of Chicago, a World War I veteran himself, argued, "Colleges and universities will find themselves converted into educational hobo jungles."

In 1948, just four years after their original opposition, there was widespread retraction, with Harvard's president stating, "for seriousness, perceptiveness, steadiness, and all other undergraduate virtues," the veterans of World War II were "the best in Harvard's history."

The continued success of veterans in higher education in the Post-9/11 era is no mistake or coincidence. At SVA we use the term, "the best of a generation." In our nation's history, educated veterans have always been the best of a generation and the key to solving whatever problems our nation faces, this is the legacy we know today's student veterans carry.

We thank the Chairmen, Ranking Members, and 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 the Committees and the entire Congress to ensure the success of all generations of veterans through education.

¹⁰⁰ Phillip Oliff, Ama Takyi-Laryea, Scott Brees & Richa Bhattarai, *Why Veterans With GI Bill Benefits Still Take Out Student Loans*, PEW (Jan. 7, 2022), <https://www.pewtrusts.org/en/research-and-analysis/articles/2022/01/07/why-veterans-with-gi-bill-benefits-still-take-out-student-loans>.