



# Pending Legislation

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Statement of

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For the Record

United States House of Representatives  
Committee on Veterans' Affairs  
Subcommittee on Economic Opportunity

With Respect To

Pending Legislation

Washington, D.C.

Chairman Levin, Ranking Member Moore, and members of the subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, thank you for the opportunity to provide our remarks on legislation pending before this subcommittee.

## **H.R. 4874, Fly Vets Act**

The VFW supports this legislation, which would eliminate private pilot license prerequisites for veterans seeking to attend flight school using GI Bill benefits and would allow these veterans to accelerate the use of their tuition benefit. We believe this legislation would assist in closing an abused loophole for proprietary flight programs to charge limitless tuition through public school contracts by subjecting their tuition limit to private institution caps, while also providing flexibility for the student through an accelerated tuition option. We also believe the counseling stipulations included in this proposal are critical to ensuring veterans are fully informed before choosing to accelerate their benefit.

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**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**

The VFW strongly supports this proposal, which would provide student veterans who have child care needs with a weekly stipend to offset child care expenses while using their GI Bill. The ability to afford child care can play a significant factor in deciding in what capacity, if any, an individual is able to pursue a course of education and use their hard-earned GI Bill benefits.

The VFW in partnership with Student Veterans of America (SVA) is now in our eighth year of offering the VFW-SVA Legislative Fellowship. This program provides exemplary VFW members who are student veterans the opportunity to make their voices heard on Capitol Hill and in their communities. Earlier this year, VFW-SVA Legislative Fellow EL'ona Kearney, a student veteran and parent herself, highlighted this issue of child care access as a barrier to student success.

In SVA's most recent census report, over 50% of the responding student veterans reported having children. Coupled with the burgeoning child care needs highlighted by the COVID-19 pandemic and the increasing average cost of child care in the United States, this proposal would provide necessary relief to veterans who are navigating both being a student and being a parent, allowing them to persist to graduation.

**Discussion Draft to amend title 38, United States Code, to extend eligibility for a certain work-study allowance paid by the Secretary of Veterans Affairs to certain individuals who pursue programs of rehabilitation, education, or training on at least a half-time basis**

The VFW supports this proposal, which would allow students using Department of Veterans Affairs (VA) education benefits at a rate of at least half-time basis to receive allowances for participating in work-study programs. This proposal represents a need brought to the forefront by another of our own VFW-SVA legislative fellows earlier this year. With many student veterans juggling pursuing a degree along with other responsibilities, they are able to attend only at a half-time rate of pursuit. These student veterans may also benefit from VA work-study opportunities and have a desire to give back to the veteran community through work associated with VA.

**Discussion Draft to amend the Servicemembers Civil Relief Act to establish protections under that Act for a member of the Armed Forces who leaves a course of education, paid for with certain educational assistance, to perform certain service**

The VFW supports the intent of this proposal, which would create protections for students using VA education benefits if they need to withdraw or take a leave of absence due to military service obligations. While the Principles of Excellence, now mandated through the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020*, require institutions accepting VA benefit dollars to provide accommodations for service members and reservists absent due to service requirements, these provisions fall short of setting the standard for such accommodations. The VFW supports measures that would establish additional protections ensuring no adverse action is taken against students whose course of education is interrupted by deployments, mobilizations, activations, and temporary duty assignments.

While the VFW sees the need for increased student protections for members of the armed forces, especially those whose military duties may affect their ability to persist through a course of education, we believe this current proposal casts too wide of a net in defining “covered service” through section 101 of title 10, United States Code. We are concerned this broad definition may ultimately have a negative impact on student outcomes. Establishing protections for any active duty orders, as well as inactive duty drill weekends, would permit students to leave their coursework regardless if there is a disruption due to military service obligations. The VFW believes this current definition of covered service would create an escape hatch for any GI Bill student on any type of military orders to drop their coursework at any time and for any cause, to include poor performance or disinterest. We believe this definition is not illustrative of the intent of this proposal and could prove to be a barrier to student success and outcomes and disincentivize institutions from accepting students using VA education benefits.

While the VFW believes the definition of covered service as written is far too broad, we also believe the definition of “covered individual” is far too narrow to fully protect members of the armed forces enrolled in courses of education. It is important any student who is forced to disrupt their studies in support of a military operation or training is not penalized for their service obligation, to include students who are using other methods of payment beyond those administered by VA, such as military tuition assistance.

### **Discussion Draft to extend the delimiting period for certain individuals to use educational assistance benefits administered by the Department of Veterans Affairs**

The VFW supports this proposal, which would extend the delimiting period for individuals who have restored education benefits resulting from VA’s updated interpretation of the policy known as the “48-month rule.” We are appreciative of this updated interpretation that will allow greater flexibility for veterans eligible for Veteran Readiness and Employment (VR&E) and we support extending delimiting dates to allow for maximum

ability to utilize benefits.

While we support the extension of delimiting dates wherever possible, the VFW strongly believes that education and employment are lifelong needs. Ideally, all delimiting periods for such benefits should be eliminated to allow veterans the necessary flexibility to utilize their benefits during the time of their lives when they may need them the most.

**Discussion Draft to amend title 38, United States Code, to prohibit the use of entitlement to educational assistance under the Survivors' and Dependents' Educational Assistance Program for secondary school education**

The VFW does not have a position regarding this proposal.

**Discussion Draft, to amend title 38, United States Code, to expand eligibility for the Marine Gunnery Sergeant John David Fry Scholarship to include spouses and children of individuals who die from a service-connected disability within 120 days of serving in the Armed Forces, and for other purposes**

The VFW supports this proposal, which would extend Fry Scholarship eligibility to spouses and children of those who die from a service-connected disability within 120 days of transitioning from active duty service. The VFW is resolved to help surviving families receive the benefits they deserve and believes survivors who are eligible for other benefit compensation through VA should not be precluded from education benefits.

**Discussion Draft, to amend title 38, United States Code to provide for the transfer of entitlement to educational assistance under Post-9/11 Educational Assistance Program of Department of Veterans Affairs when an eligible individual dies after approval of transfer and before transferring all of the individual's entitlement, and for other purposes**

The VFW supports this proposal, which would allow for the intent of a transfer of Post-9/11 GI Bill benefits to a dependent family member to be completed if the eligible individual dies before completing the transfer of the benefit.

**Discussion Draft to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs repays members of the Armed Forces for certain contributions made by such members towards Post-9/11 Educational Assistance**

The VFW supports this proposal, which would ease the return of contributions of up to one

thousand two hundred dollars to service members who contributed toward the Montgomery GI Bill and waived their intent to use it by utilizing Post-9/11 GI Bill benefits. The current code is unnecessarily prohibitive to these individuals receiving their money back.

### **Discussion Draft to direct the Secretary of Veterans Affairs to report on the Warrior Training Advancement Course of the Veterans Benefits Administration**

The VFW supports this proposal, which would require VA to report metrics of outcomes for the Warrior Training Advancement Course (WARTAC) and form recommendations for potential expansion to additional federal agencies. The VFW believes a proper and well-rounded transition from the military is one of the most important things our service members need in order to ease back into our society with minimal hardships.

The Department of Defense (DOD) SkillBridge program is a highly valuable yet sorely underutilized and underpromoted program within the transition process. Oversight and reporting regarding WARTAC outcomes may provide key insights that can inform recommendations for improvements to DOD SkillBridge. It may also provide information for recommendations on expansion to other federal agencies.

### **Discussion Draft to amend title 38, United States Code, to eliminate the Freddie Mac conforming loan limitation for loans made to veterans with remaining guaranty or insurance loan entitlement under the laws administered by the Secretary of Veterans Affairs, and for other purposes**

The VFW does not support this proposal at this time. We understand veterans may want to utilize the VA Home Loan program for a second property or vacation home, however, we are concerned about eroding the financial stability of this incredible benefit by allowing this second use. VA Home Loans are very successful in part because of the rigorous standards applicants must adhere to in order to utilize the program. We are concerned that allowing veterans to use this benefit for a vacation home or for rental properties could expose users to overextending themselves financially, thus increasing the rate of defaults.

While we see the potential upside for this change, we are concerned there is not enough information regarding the potential problems associated with this expansion. We ask that more information be provided by VA before this legislation is passed so that the VA Home Loan program is not diminished because of increased financial risk.

### **Discussion Drafts to resource and expand veteran homelessness programs**

The VFW supports each of these proposals as they would provide greater resources and enhance veteran homelessness initiatives. One of the VFW's long-standing resolutions is to

end veteran homelessness. Readjustment benefits such as the U.S. Department of Housing and Urban Development-VA Supportive Housing (HUD-VASH) and Supportive Services for Veteran Families (SSVF) programs are vital for keeping veterans in safe and affordable housing. The ultimate goal of these programs is to keep veterans from reaching a point of helplessness by providing safety nets so they do not end up on the street; or if that occurs, to reintegrate them back into safe and healthy environments as quickly as possible.

We support requiring VA to report demographics and outcomes of the shallow subsidy program and determine if an increase in funding is necessary and, if feasible, to expand nationally.

We support increasing the availability of affordable housing and periodically adjusting Grant and Per Diem program rates for inflation to ensure sufficient operation of homeless veteran assistance programs.

We support establishing a pilot program for grants directed toward the care of homeless veterans who are combatting barriers to access for existing VA substance use recovery service. Veterans with Substance Use Disorder were identified as the highest risk for suicide in the latest VA suicide report. We must increase our efforts to eliminate suicide by helping those who are identified as higher risk.

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

Pursuant to Rule XI2(g)(4) of the House of Representatives, the VFW has not received any federal grants in Fiscal Year 2021, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.