

**STATEMENT FOR THE RECORD
OF
THE AMERICAN LEGION
TO THE
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
ON
FURTHER EXAMINING FOREVER GI BILL IMPLEMENTATION EFFORTS**

NOVEMBER 19, 2019

Chairman Levin, Ranking Member Bilirakis, and distinguished members of the subcommittee, on behalf of National Commander, James W. "Bill" Oxford, and the nearly 2 million members of The American Legion, we thank you for the opportunity to share the views of The American Legion on the Department of Veterans Affairs continued implementation of the *Harry W. Colmery GI Bill* (hereafter referred to as the "*Forever GI Bill*").

In the summer of 2017, the Administration and Congress enacted the *Harry W. Colmery Educational Improvement Act*, named after The American Legion's Past National Commander and the author of the original GI Bill (The Servicemen's Readjustment Act of 1944). The *Forever GI Bill* eliminated the arbitrary 15-year limit, increased benefits for Purple Heart recipients, expanded Yellow Ribbon eligibility, restored benefits to victims of school closures, and calculated housing allowances based on the beneficiaries' zip code of class attendance. Section 107 of the *Harry W. Colmery Veterans Educational Assistance Act* addresses the perceived inequities in the *Post 9/11 GI Bill* by mandating that the housing allowance be calculated based upon the location of the campus where the majority of a student's classes were taken.

Background

When the *Forever GI Bill* was signed into law on August 15th, 2017, the U.S. Department of Veterans Affairs (VA) had under 12 months to develop and launch 16 provisions of the bill, which included restoration of lost benefits due to closed schools including calculation of the monthly housing stipend based on location of campuses, and aligning housing stipends to Department of Defense levels. By May of 2018, serious doubts were beginning to emerge that VA was at risk of missing these deadlines.¹ By October 2018, pending GI Bill claims rose to 228,640, a 68% increase from the previous year. Furthermore, over 1,400 claims were reported as delayed past 60 days. Timeliness of delivery rose to 35.4 days for original claims and 23.8 for supplemental claims. By November 2018, confidence in the VA's ability to implement the GI Bill was at an all-time low.

In the following year, The American Legion convened a "*Veterans Benefits Administration GI Bill Symposium*" on February 28th, 2019 during our 59th Washington Conference. The purpose of this symposium was to establish a dialogue between the VA and the school certifying officials (SCOs)

¹ <https://www.stripes.com/house-lawmakers-question-va-s-ability-to-meet-deadline-for-gi-bill-changes-1.580317>

who were the first point of contact student veterans turned to when their housing checks did not arrive on time. The SCOs made it clear to VA staff that payment delays have direct consequences on student veterans’ faith in the VA system; *timely payments must be prioritized above any Forever GI Bill implementation requirements.*

Implementation challenges spilled into second-order effects on GI Bill processing times, resulting in extended housing payment delays for student veterans in the Fall Semester of 2019. As The American Legion focused on helping veterans who were falling into hardship due to missed GI Bill payments, news of the payment backlog sparked bipartisan outrage, and the VA reassigned its Director Education Service.²

The American Legion shares this view, and commends VA for its improvements to benefits delivery:

GI Bill Delivery	October 8 2018	October 16 2019
Pending Claims	228,640	74,343
Oldest Pending Claims	1,391	233
Timeliness of Delivery	35.4 Original / 23.8 Supplemental	23.3 Original / 13.1 Supplemental
Source: VA		

The American Legion is pleased to share that VA appears to have executed a remarkable turnaround to bring *Forever GI Bill* implementation back on track and restore confidence in VA’s ability to effectively administer education benefits.

By October 16th, 2019, pending GI Bill claims fell to 74,343, the lowest it has been since passage of the *Post-9/11 GI Bill* in 2008. Claims over 60 days dropped to 233, and timeliness of delivery accelerated to 23.3 days for original claims and 13.1 days for supplemental claims. The American Legion also commends VA for achieving its fastest GI Bill processing numbers to date, and encourages VA’s education service to continue to prioritize timely benefits processing.

Technical Challenges

The calculation and processing of *Post-9/11 GI Bill* benefits is a complex process requiring inputs and oversight from veterans, SCOs, and VA Education Liaison Representatives. The intricacy of this process requires routine stakeholder engagement and feedback loops that were not part of the *Forever GI Bill’s* initial 2018 implementation plan. The lack of organizational integration throughout the software development lifecycle resulted in both communication and technical gaps across the implementation phases. The *Post-9/11 GI Bill* provides a monthly housing allowance for a student veteran based upon the facility code assigned to the main campus of the approved educational facility.

² <https://www.washingtonpost.com/national-security/2018/11/15/veterans-arent-getting-their-gi-bill-payments-because-vas-year-old-computer-system-broke/>

Initially, in attempt to implement Section 107 as broadly as possible, VA defined a training site as a “campus” included: 1) the individual campus of a school where the student is taking classes (i.e., the school’s science center, humanities building, or athletic center), 2) the physical location where a student is learning in a study abroad program, or 3) an internship, externship, practicum or student teaching site. Recognizing earlier this year that this definition was too broad, VA then changed the definition of a “campus” for housing payment purposes to be only those locations where the physical site of the training is either owned or leased by the school and the school has ownership or control over the student’s classroom instruction. Additionally, VA has assigned sub-facility codes to the campuses in the zip codes that meet this definition as some students found themselves attending branch campuses with a higher cost of living than the main campus. In response to this challenge VA reset its implementation efforts last year for Section 107 of the law to allow the Department time to reestablish contracting support and resources to develop the capability to process and deploy for spring enrollments for 2020.

The American Legion eagerly looks forward to the successful implementation of Sections 107 of the *Forever GI Bill* and applauds VA efforts to make necessary adjustments to its information technology platform to expedite facilitation. However, we strongly suggest that VA remain cognizant of challenges produced for veterans and schools by future changes and request they take said challenges into consideration going forward.

Stakeholder Communication

Presently, VA Education Service has achieved transparent stakeholder engagement that incorporates schools, veterans organizations, student beneficiaries, and third-party contractors to a degree seldom seen in its history. The American Legion believes this is the result of solid leadership and hard-learned organizational lessons. from the VA’s “*Colmery Act (PL 115-48) Section 107 – Focus Group*” on March 7th, 2018. The purpose of this focus group was to brief schools and veterans organizations on VA’s newly established definition of “campus” to meet *Forever GI Bill* guidelines to calculate housing allowances based on campus zip codes (the aforementioned Section 107). VA did not seek sufficient input on higher education’s definition of “campus,” and as a result included internship and externship sites in its campus definition.

Following the results of the initial *Forever GI Bill* implementation, VA commissioned both a public Office of Inspector General report and an internal MITRE Corporation Independent Technical Assessment to determine the causes of the botched rollout; both determined unclear communication to VA stakeholders as a contributing factor to implementation failures along with an absence of leadership:

Throughout planning and early implementation efforts, VA lacked a single accountable official to oversee the project, which resulted in unclear communications to VA stakeholders of implementation progress and inadequately defined expectations, roles, and responsibilities of the various VA business lines and contractors involved.³

³ <https://www.va.gov/oig/pubs/VAOIG-19-06452-97.pdf>

In November of 2018, the VA Secretary named the Under Secretary for Benefits as the senior official responsible for implementing the *Forever GI Bill*. In subsequent months, new leadership was established at VA Education Service along with a new contractor, Accenture, to oversee *Forever GI Bill* implementation. The product of these changes was a strikingly more engaged outreach strategy in 2019. This effort allowed for better communication with veteran support organizations and congressional stakeholders, and VA Education Service began hosting monthly stakeholder meetings to brief staffers on implementation progress.

This also enhanced communication with schools. Accenture launched a roundtable and webcast to collect comments and insights on how to best implement, communicate, and provide training on GI Bill implementation, which is a markedly different approach from 2018 that incorporates stakeholder feedback instead of dictating stakeholder requirements. Finally, VA increased and improved its outreach directly to student veterans. The Under Secretary for Benefits hosted multiple Facebook Live feedback sessions, and VA Education services launched a VA School Tour that has visited nine sites across the country to collect feedback from beneficiaries' and faculty experiences.

Conclusion

Seventy-five years ago, The American Legion pioneered the proposition that America must invest in the transition back home for those who defend her. As daring as the passage of this “GI Bill of Rights” was, its ultimate success could not have been realized without effective implementation led by the Veterans Administration’s post-war chief: General (Ret.) Omar Bradley.

The implementation challenges of the *Harry W. Colmery Veterans Educational Benefits Act of 2017* demand VA to rise to this earlier caliber of leadership, and The American Legion stands ready to support its successful execution.

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