



Student Veterans of America
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**TESTIMONY OF
STUDENT VETERANS OF AMERICA**

BEFORE THE

COMMITTEES ON VETERANS' AFFAIRS

U.S. SENATE

**HEARING ON THE TOPIC OF:
"PENDING LEGISLATION"**

May 22, 2019



Chairman Isakson, Ranking Member Tester and Members of the Committee:

Thank you for inviting Student Veterans of America (SVA) to submit our testimony on pending legislation before the committee.

Established in 2008, SVA is a national nonprofit founded to empower student veterans as they transition to civilian life by providing them with the resources, network support, and advocacy needed to succeed in higher education. With over 1,500 Campus Chapters across the U.S. and in four countries overseas, serving 750,000 student veterans, SVA establishes a lifelong commitment to each student's success, from campus life to employment, through local leadership workshops, national conferences, and top-tier employer relations. As the largest chapter-based student organization in America, we are a force and voice for the interests of veterans in higher education, and SVA places the student veteran at the top of our organizational pyramid.

Edward Everett, our nation's 20th Secretary of State, and the former President of Harvard University was famously quoted as stating, "Education is a better safeguard of liberty than a standing army." While we have the finest military that the world has ever known, the sentiment remains; the importance of education to our nation's national security continues to be critical and we thank the committee for putting forth thoughtful legislation that speaks to this importance.

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S. 805, Veteran Debt Fairness Act of 2019

The *Veteran Debt Fairness Act of 2019* would make certain improvements to the Department of Veterans Affairs (VA) debt collection process and limit the authority of VA to recover overpayments made to veterans due to VA accounting errors.

VA sends out up to 200,000 overpayment notices to veterans every year.¹ Most are health-related, but based 2015 GAO study, roughly one out of every four veterans using the Post-9/11 GI Bill also received an overpayment notice.² These notices demand the debt – a number we have seen reach as high as \$75,000 - be repaid in full within thirty days or the veteran's benefits will be withheld.³ This short window of time to respond to a wholly unexpected and life-changing letter can be a challenge for veterans on its own, but is also further reduced by VA's outdated and disconnected address databases and years-long reliance on physical mail, meaning many veterans have not received these notifications in time to engage in their appeals or repayment options.⁴

The causes of overpayments and poor dissemination of these notices due to inadequate infrastructure is a well-worn discussion, but in some cases the root issue is not related to IT but VA's internal processes. The VA's Office of the Inspector General released a report in December of last year regarding 1,300 disabled veterans receiving Dependent's Educational Assistance (DEA) overpayment notices totaling \$4.5 million – an average of \$3,400 each.⁵ The report found that 25 of the 58 regional VA offices had roughly 4,600 unread emails in their respective

¹ Senator Sherrod Brown. (March 2019). *Brown, Tester, Boozman Work to Stop Veterans from Being Punished for VA's Miscalculations*. <https://www.brown.senate.gov/newsroom/press/release/brown-tester-boozman-work-to-stop-veterans-from-being-punished-for-vas-miscalculations>

² U.S. Government Accountability Office (October 2015). *Additional Actions Needed to Help Reduce Overpayments and Increase Collections*. <https://www.gao.gov/products/GAO-16-42>

³ Horne, Chris. (May 2019). *VA overpayment puts Marine vet, Navy officer on hook for \$75,000*. <https://www.wavy.com/news/military/navy/va-overpayment-puts-marine-vet-navy-officer-on-hook-for-75-000/1995067521>

⁴ Office of Servicemembers' Affairs, Consumer Finance Protection Bureau. (January 2019). *2018 Annual Report*. https://files.consumerfinance.gov/f/documents/cfpb_osa_annual-report_2018.pdf

⁵ VA OIG (December 2018). *Delays in the Processing of Survivors' and Dependents' Educational Assistance Program Benefits Led to Duplicate Payments*. <https://www.va.gov/oig/publications/report-summary.asp?id=4601>



DEA inboxes dating back to August 2016, sixty-seven percent of which (~3,100) were about DEA benefits.^{6, 7} Seven of the offices reported not checking those inboxes at all because there was no VBA standard in place.⁸

With overpayment letters on the rise - nearly tripling from 2013 to 2017 - an ever-increasing number of our veterans and families are being threatened with or experience financial harm.⁹ The serious nature of these notices and the impact they can have on families requires that stronger guardrails be placed around the processes that enable them. This bill is a step in that direction.

SVA strongly supports the bill's language on limiting VA's recoupment of debts to only those made by errors from the veteran or beneficiary, capping the benefit deduction at 25%, and only those debts that were incurred in the last five years.

SVA also supports the requirement that the VA provide veterans with the ability to update their dependency information online, which eliminates a potential processing delay and cause of overpayments. We continue to emphasize VA's need to improve and modernize its IT infrastructure and see this as another opportunity to provide greater service to our veterans.

Draft Legislation, To amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to continue to pay educational assistance or subsistence allowances to eligible persons when educational institutions are temporarily closed.

This legislation would extend the period that VA is able to continue paying housing allowances during a school's temporary closure due to an Executive order of the President or because of an emergency situation from four weeks to eight.

As has been made all too clear in the past few years, natural disasters dramatically impact the lives of students and the communities that surround them. In 2017 and 2018, we saw at least 43 separate college and university closures of over 10 days. In Georgia, those included Albany Technical College, East Georgia State College, Georgia Southern University-Armstrong, and the Savannah School of Art and Design. In North Carolina, Fayetteville Technical Community College and Craven Community College temporarily shuttered. And some, like Lone Star College's Kingwood and Atascocita campuses, closed for a full month. When schools close in the aftermath of a catastrophic event, student veterans must navigate their own recovery while the ticking clock of the four-week benefits extension hangs over their head.

It is important to understand that significant disaster events are occurring more frequently and more intensely than ever before. Since 1980, the United States has faced an average of six billion-dollar storms in a given year.¹⁰ In the past 5 years, however, we have faced an average of thirteen.¹¹ It is clear our students face a growing threat from the environment and we believe that preparing policy to more adequately, and proactively, address these issues is the best option. We should not wait until our veterans are suffering to enact this positive change.

SVA strongly supports giving VA the authority to extend the current timeframe when natural disasters are so severe an institution needs more than a month to reopen campus. We believe this is a common-sense, proactive

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Jerving, Sara. VICE (March 2017). *Indebted*. https://news.vice.com/en_ca/article/ywn9xb/va-veterans-overpayment

¹⁰ Stein, Jeff; Van Dam, Andrew. Washington Post. (April 22). *Taxpayer spending on U.S. disaster fund explodes amid climate change, population trends*. https://www.washingtonpost.com/us-policy/2019/04/22/taxpayer-spending-us-disaster-fund-explodes-amid-climate-change-population-trends/?noredirect=on&utm_term=.2b49a5ca45db

¹¹ Ibid.



policy change providing student veterans more than a few weeks' time to figure out a new plan when facing catastrophes.

If the committee would like to continue the conversation on ways to better serve our student veterans responding to natural disasters, one area that students still need relief is with post-disaster relocation. If a student must relocate due to a natural disaster and cannot immediately return to school upon reopening, VA is unable to continue making payments to them or assist with relocation needs. This compounds the student's existing problems and causes undue hardship.

We would also like to encourage the committee to consider ways to provide assurances for housing allowances in the wake of natural disasters without having to lose a month or more of educational assistance eligibility due to circumstances beyond students' control.

We applaud Congress' efforts thus far to provide common-sense relief to our student veterans who are impacted by natural disasters. With each proactive step, Congress sends a powerful message to our veterans that our country is committed to serving them when they need help the most.

In addition to the legislation listed above, SVA also supports S. 785, the Commander John Scott Hannon Veterans Mental Health Care Act of 2019, which makes continued improvements to the Transition Assistance Program and authorizes a scholarship program for veterans seeking certain degrees.

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The success of veterans in higher education is no mistake or coincidence. Research consistently demonstrates this unique population of non-traditional students is far outpacing their peers in many measures of academic performance.¹² Further, this success in higher education begets success in careers, in communities, and promotes family financial stability, holistic well-being, and provides the all-volunteer force with powerful tools for recruitment and retention when recruits know military service prepares them for success after service.

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

¹² Cate, C.A., Lyon, J.S., Schmeling, J., & Bogue, B.Y. (2017). *National Veteran Education Success Tracker: A Report on the Academic Success of Student Veterans Using the Post-9/11 GI Bill*. Student Veterans of America, Washington, D.C., http://invest.studentveterans.org/wp-content/uploads/2017/03/NVEST-Report_FINAL.pdf.