

**Testimony of  
Veterans of Modern Warfare**



**Presented by**

**Donald D. Overton, Jr.  
Executive Director  
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**Before the**

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

**Regarding**

**Update of the Post-9/11 GI Bill**

**September 16, 2010**

Chairwoman Herseth Sandlin, Ranking Member Boozman, and Distinguished Members of the Subcommittee on Economic Opportunity, on behalf of Veterans of Modern Warfare (VMW) and our National President Joseph Morgan we thank you for the opportunity to present our views on an "Update on the Post-9/11 GI Bill."

My name is Donald Overton and I am a 100% service-connected combat disabled Army veteran of the first Gulf War currently serving as Executive Director for Veterans of Modern Warfare. VMW is a 501(c)19 National Wartime Veterans Service Organization founded in 2006. VMW represents active-duty, National Guardsmen, Reservists, and Veterans who have served honorably in our nation's armed forces from August 2, 1990 through a date to be prescribed by Presidential proclamation or law.

Since the enactment of the Post-9/11 GI Bill more than a year ago, VMW members across the nation have been afforded the opportunity to pursue educational endeavors at varying institutions of higher learning. However, far too many have been left behind. It became readily apparent that this historically significant legislation had a multitude of unforeseen limitations. Hopefully, this committee, along with your colleagues in the 111<sup>th</sup> Congress, will correct these limitations and ensure the maximum effectiveness of the most generous investment in veterans' educational benefits since the end of World War II.

Considering the current global economic climate, and our nation's fiscal obligations both foreign and domestic, veterans' education and employment has fortunately remained a top national priority. VMW salutes the House Committee on Veterans' Affairs for its ongoing efforts and consideration of H.R. 3337 (Post-9/11 Veterans' Job Training Act of 2009), H.R. 4765 (authorizing VA to receive work-study allowances for certain outreach services provided through congressional offices), H.R. 3813 (Veterans Training Act), H.R. 3719 (Veterans Economic Opportunity Administration Act of 2009) and H.R. 5933 (Post-9/11 Veterans Educational Assistance Improvements Act of 2010).

VMW staunchly supports these legislative initiatives, although we are somewhat concerned by certain provisions. Since many of these initiatives have been incorporated and seemingly culminated into H.R. 5933, we will focus our Chapter 33 benefits package comments on this bill, while we address our concerns over effective and efficient implementation. Without a major cultural transformation within the Department of Veterans Affairs, as prescribed by H.R. 3719, the most well intentioned Chapter 33 legislative remedies may be doomed to failure.

### **Student Veterans Chapter 33 Concerns**

Chapter 33 Post-9/11 GI Bill benefits failed to provide:

- the opportunity to pursue educational programs at institutions other than institutions of higher learning, including vocational, apprenticeship, on-the-job training, correspondence and flight training;
- full GI Bill credit for full-time National Guard service, to include full-time Title 32 Active Guard Reserve and state activation service;
- housing stipend for distance learners, or those studying less than full-time;
- Yellow Ribbon benefits to certain National Guard and reserve personnel members;
- multiple licensing or certification testing reimbursements; and
- an equivalent book stipend for active-duty students.

Although this list is not exhaustive of the concerns of our student veteran members, it does provide a framework from which to develop and implement substantial legislative improvements to the Post-9/11 GI Bill benefits package. These improvements will have a positive impact on the lives of tens of thousands of Americans who have served in our nation's armed forces, as well as on their families and the global economy.

## Chapter 33 Improvements

H.R. 5933 (Post-9/11 Veterans Educational Assistance Improvements Act of 2010) remedies a multitude of concerns espoused by our student veteran members. This legislation would:

- revise definitions concerning eligibility, and include certain National Guard service as service qualifying for such assistance;
- revise assistance amounts (including monthly stipends), and types of approved programs of education;
- allow the pursuit of educational programs at institutions other than institutions of higher learning, including on-the-job training and apprenticeships, flight training, and correspondence courses;
- provide an assistance amount for programs of education pursued while on active-duty;
- repeal the limit on the use of such assistance for the payment of only one licensing or certification test;
- allow an individual entitled to supplemental educational assistance to transfer such entitlement to the post-9/11 program;
- bar the duplication of benefits under other educational assistance programs;
- increase the amount of the reporting fee paid by the Secretary of Veterans Affairs (VA) to an educational institution for providing information concerning an individual's enrollment in a program of education;
- extend to certain National Guard and Reserve personnel eligibility to receive public-private contributions for additional educational assistance;
- reauthorize through 2016 the Veterans' Advisory Committee on Education;
- revise cost-of-living adjustments under the Montgomery GI Bill educational assistance program; and
- provide an alternate subsistence allowance amount for veterans entitled to such allowance because of service-connected disabilities.

While we applaud these adjustments, VMW remains concerned by language found in H.R. 5933 at:

Section 3 "Modification of Amount of Assistance and Types of Approved Programs of Education"

(a)...

(1)...

(A)...

(B)...

(C)...

(A) An amount equal to –

(i)...

(ii) in the case that such institution is a non-public or foreign institution of higher learning, the lesser of

–

(I)...

(II)\$20,000 for each academic year

Establishing these tuition caps will have a negative impact on student veterans attending private colleges within the following states: Michigan, New Hampshire, New York, Pennsylvania and Texas. There is no guarantee that the Yellow Ribbon program will be capable of absorbing these monetary offsets, and without current statistical data to analyze the number of student veterans potentially impacted, or the overall extent of this provision, we would encourage a comprehensive analysis prior to insertion of this provision in the legislation that will ultimately be enacted.

Our other concern may be found at Section 11, the proposed elimination of the Cost of Living Allowance for Chapter 30 Montgomery GI Bill recipients to afford a Cost of Living Allowance for Chapter 33 Post-9/11 GI Bill recipients. Taking benefits from one class of veterans to pay for another is an unjust policy consideration and should not have even been proposed. We urge you to eliminate this from any bill that goes forward.

Given the prescribed effective date of August 2011, we believe this will afford the VA and school administrators' ample time to train and prepare for the adjusted benefit package. This will also assuage what has been the primary concern of school administrators: the lack of communication and training time by the VA.

### **Implementation Improvements**

Our nation owes veterans much more than "blood money," especially to our veterans who have been disabled in service to our country. The central event in their readjustment process is being able to secure gainful work at a living wage.

H.R. 3719 (Veterans Economic Opportunity Administration Act of 2009), establishes in the Department of Veterans Affairs a Veterans Economic Opportunity Administration, to be headed by an Under Secretary for Veterans Economic Opportunity who will administer VA programs of economic opportunity assistance to veterans and their dependents and survivors. It will put under one roof the following VA programs: (1) vocational rehabilitation and employment; (2) educational assistance; (3) veterans' housing loan and related programs; (4) veterans' entrepreneurship; and (5) homeless veterans.

This bill also would establish as an interagency committee the Department of Veterans Affairs-Department of Labor-Small Business Administration Joint Executive Committee on Economic Opportunity to recommend to the Secretaries of Veterans Affairs and Labor and the Administrator of the Small Business Administration strategic direction for the joint coordination and sharing of efforts to promote and administer veterans economic opportunity programs for education and training, vocational rehabilitation, employment, small business, and homelessness, and to oversee implementation of those efforts.

We have seen time and again the VA's failure to properly implement the benefit programs within their purview. These failures have been particularly pervasive within the Veterans Benefits Administration (VBA). It is imperative that during this era of cultural transformation

within the VA, under Secretary Shinseki's bold leadership, that the VEOA be created. Removing these relevant programs from the antiquated and over-burdened VBA will ensure the viability of veterans' economic opportunities for their futures, a just reward from a grateful nation.

### **Conclusion**

Madame Chairwoman, VMW again thanks you for this opportunity to express our views, and will be pleased to respond to any questions you or your colleagues may have.

**Donald D. Overton, Jr.**

Donald D. Overton, Jr. was born 22 February 1968 in Norwalk, Connecticut. He entered active duty in the U.S. Army on 2 February 1988 and upon completion of both Basic Training at Ft. Jackson, South Carolina and Advanced Individual Training at Ft. Gordon, Georgia, he was awarded the MOS of 31K, Combat Signaler. Next he attended Airborne School which ultimately resulted in an assignment to HHC 3rd BN 505<sup>th</sup> Parachute Infantry Regiment 82<sup>nd</sup> Airborne Division.

In August of 1990 he deployed with the Advance Party of the 82<sup>nd</sup> Airborne Division to Saudi Arabia in preparation of Operations Desert Shield/Desert Storm. He was wounded in combat in March of 1991 and subsequently medically retired from the military in June of 1992. He went on to graduate Magna Cum Laude from East Carolina University with a Bachelor's degree in Social Work. His Advanced Studies toward a Master's degree in Public Administration are ongoing.

Donald possesses a diverse occupational background to include positions held at the federal, state and local levels of government, not-for-profit leadership and extensive volunteer experience. He has over 16 years of active service and leadership within multiple Veterans Service Organizations and looks forward to continuing his leadership and service as the Executive Director for Veterans of Modern Warfare.

Donald has two children, Jamie, age 21, and Dustin, age 19.

**Veterans of Modern Warfare  
Funding Statement  
September 16, 2010**

Veterans of Modern Warfare a 501(c)19 is the nation's newest National Veterans Service Organization, focused on mutual assistance to Veterans with military service from 1990 - the time of the Persian Gulf War that ushered in a new era of modern warfare - through the present, including the Wars in Iraq and Afghanistan.

VMW is not currently in receipt of any federal grant or contract

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