



American Ex-Servicemen's Association

"All gave some; some gave all"

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November 17, 2021

U.S. Senator Jon Tester
Chairman
Senate Committee on Veterans' Affairs
412 Russell Senate Office Building
Washington, DC 20510

U.S. Representative Mark Takano
Chairman
House Committee on Veterans' Affairs
364 Cannon House Office Building
Washington, DC 20515

U.S. Senator Jerry Moran
Ranking Member
Senate Committee on Veterans' Affairs
412 Russell Senate Office Building
Washington, DC 20510

U.S. Representative Mike Bost
Ranking Member
House Committee on Veterans' Affairs
3460 O'Neill House Office Building
Washington, DC 20024

Dear Chairmen Tester and Takano, and Ranking Members Moran and Bost,

Since 1946, the American Ex-Servicemen's Association (AESA¹) has been the leading U.S. veterans service organization in and around the Melbourne, Australia region. AESA proudly promotes the welfare of American Ex-Servicemen and Women residing in Australia and strives to secure improved relations between the American and Australian community. We join together for the purpose of U.S. patriotism, veteran camaraderie, and to formally remember those who have served our home country.

On behalf of AESA's members, we write with a sincere legislative request. It was recently brought to our attention that U.S. veterans attending Australian universities and other institutions of higher learning within Australia (e.g. technical and vocational schools) have been negatively affected by recent changes in policy toward foreign schools² by the U.S. Department of Veterans Affairs (VA). We write today to express our genuine concern for U.S. veterans studying (or attempting to study for the first time) in Australia. AESA strongly believes that Congress needs to immediately reform VA's current method of processing veterans' educational programs requests for those who are trying to utilize their earned GI Bill benefits at legitimate and reputable overseas schools. Specifically, two new VA policies have become serious threats to veterans advancing their education through studies abroad.

First, VA currently allows for veterans to attend overseas colleges and universities: 1) if the school has a U.S.-based financial account and U.S. Tax ID

¹ See: <https://www.bartosh.com/amexsvc/>.

² Schools negatively affected are: the University of Sydney, the University of Melbourne, the University of Western Australia, the University of South Australia, the University of Tasmania, the University of Queensland, Australian National University, Macquarie University, La Trobe University, the Royal Melbourne Institute of Technology, Deakin University, James Cook University, and others in both Australia and New Zealand.

Number to make electronic tuition payments on behalf of student veterans, or 2) if the school can make a third-party arrangement (i.e. Western Union) to transfer tuition payments in lieu of a U.S.-based financial account (per <https://benefits.va.gov/gibill/docs/foreignProgramApprovalsLetter.pdf>).

However, please note that not every overseas school is willing nor able to establish a U.S.-based financial account nor have a U.S. Tax ID Number. For foreign schools opting for a third-party to handle overseas tuition payments, this would open the doors to for-profit, predatory lenders similar to what we've seen around overseas bases, which seek to exploit military families. In short, there is no accountability if a tuition payment is not made correctly by a third party. This situation invites the potential for disputes between the third-party lender, VA, and the foreign school, leading to all three parties pointing fingers of blame and only one of them actually accountable to Congress. Thus, AESA urges Congress to resolve this issue on behalf of veterans through the power of legislation by passing reforms to VA that allow our overseas veterans to gain high-quality educational opportunities, not punishes them for attempting to utilize their earned GI Bill benefits.

Secondly, student veterans living abroad are subject to mixed messaging from VA which discourages rather than encourages veterans to enroll in higher education programs. For example, if a veteran abroad wishes to attend a foreign university's degree program which is not currently approved by VA, an authorized representative from the school must simply submit VA Form 22-0976, per VA's guidelines, and which VA would then evaluate for approval and accreditation. Yet, what is now happening is that veterans are now subject to VA's new policy of requiring 42 additional requirements that the foreign school must meet for the program to be approved. These arbitrary and extremely burdensome requirements go beyond VA's publicly-stated requirements, including items such as proof that the school is up-to-date on its local fire and sanitation codes. Even if VA could confirm that an overseas school's sanitation code is up to date, why should that be a GI Bill requirement for a veteran studying from home or researching in fieldwork? AESA strongly supports regulations which improve the efficiency of the federal government, but these additional requirements are the textbook definition of "red tape" by holding back earned educational opportunities for veterans living abroad.

Furthermore, the additional list of VA's requirements is not possible for many overseas schools. Please be aware that the Australia's privacy legislation involving privacy and consent are taken very seriously within the Australia. The bottom line: it, along with the EU GDPR, is among the strictest policies on Earth. It applies to all enterprises and institutions (including public and private universities). Thus, it is illegal for any university in the Australia to comply with the VA's payment procedure, barring veterans from using GI benefits at quality universities in Australia.

As you know, VA's budget request for Fiscal Year 2022 calls for \$113.1 billion – an 8.2% increase over what was enacted in FY21. But with a substantial increase in VA's budget, it only makes sense to cover more veterans with GI Bill benefit claims, not less. AESA supports increasing the federal funding for VA if it means furthering the formal education of America's military veterans. However, VA cannot realistically justify such a dramatic budget increase if it fails to cover the thousands of veterans living abroad.

Make no mistake: AESA is passionate about this issue affecting U.S. veterans living abroad, especially those veterans in Australia. As such, we respectfully request that you address this issue by introducing legislation to reform VA's process for allowing our nation's veterans abroad to utilize their earned GI Bill educational benefits at accredited foreign colleges and universities. When previous Congresses passed veterans' educational benefits legislation, it was clearly not the intent of lawmakers to exclude veterans abroad with tuition payment issues or surprising them with 42 additional, arbitrary requirements for approval. VA must change its policy, but it will not do so unless Congress supports and passes legislation to demand that VA makes the necessary reforms on behalf of our veterans abroad.

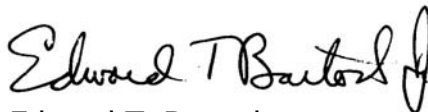
Veterans abroad pay U.S. taxes and vote via absentee ballot. If you have ever met some while traveling abroad, we are sure you will agree that many veterans abroad stay better informed of issues before Congress than their stateside counterparts; this is especially the case within Australia. AESA hopes you will also agree that veterans living abroad remain fully entitled to the benefits and services they have earned through their military service.

AESA appreciates your assistance in legislatively resolving this matter on behalf of veterans not only in the Melbourne area but residing all over the world. We thank you for your leadership on GI Bill issues and all other matters concerning our nation's veterans. Please do not hesitate to contact AESA's Secretary, Ed Bartosh, with any questions you may have regarding this letter. He can be reached at ebartosh@bartosh.com or +61 4 3850 8235.

Sincerely,



Warren Sapir
US Army Veteran
President
American Ex-Servicemen's Association



Edward T. Bartosh
Lt. Col., US Army (Ret'd)
Secretary
American Ex-Servicemen's Association