Committee on Veterans

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**THE COUNCIL OF THE CITY OF NEW YORK**

**COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION**

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**COMMITTEE ON VETERANS**

*Hon. Chaim Deutsch, Chair*

**May 29, 2019**

**INT. NO. 1047-A:** By Council Members Deutsch, Ulrich, Vallone, Eugene, Gjonaj, Barron, Holden, Kallos, Ampry-Samuel and Lander

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to providing veterans with outreach and engagement on issues related to higher education

**ADMINISTRATIVE CODE:** Amends Chapter 1 of title 31 by adding new section 31-110

**RES. NO. 844:** By Council Members Cabrera, Vallone, Holden and Eugene

**TITLE:** Resolution recognizing the 75th anniversary of D-Day

**INTRODUCTION**

 On May 28, 2019, the Committee on Veterans, chaired by Council Member Chaim Deutsch, held a hearing to vote on two pieces of legislation: Int. No. 1047-A and Res. No. 844. Int. No. 1047-A, sponsored by Council Member Deutsch, would require the Department of Veteran’s Services (DVS) to provide veterans with outreach and education on issues related to higher education. A hearing on the bill was previously held on December 13, 2018 during an oversight hearing on “Veterans and Access to Higher Education.” Additionally, the Committee voted on Res. No. 844, sponsored by Council Member Fernando Cabrera, which would recognize the 75th anniversary of D-Day. This resolution was previously heard on May 21, 2019, along with two other pieces of legislation. For both previous hearings on Int. No. 1047-A and Res. No. 844, the Committee heard from representatives from DVS, service providers, and veteran advocates.

 On May 28, 2019, the Committee passed Int. No. 1047-A and Res. No. 844 by a vote of five in the affirmative, zero in the negative, with zero abstentions.

**BACKGROUND**

Currently, approximately 20 million veterans live in the United States.[[1]](#footnote-1) In New York City itself, there are approximately 200,000 veterans: 55,899 in Brooklyn; 34,687 in the Bronx; 37,065 in Manhattan; 50,999 in Queens; and 20,148 in Staten Island.[[2]](#footnote-2) New York City’s veteran population represents 22.2 percent of New York State’s total veteran population of 900,000.[[3]](#footnote-3)

*Veterans and Higher Education*

For decades, educational benefits following the completion of military service have been a significant incentive for those who choose to serve. The Serviceman’s Readjustment Act of 1944 (better known as the GI Bill), which provided stipends and living expenses for veterans attending college or trade schools, allowed 7.8 million of the 16 million returning World War II Veterans to participate in an education or training program.[[4]](#footnote-4) The GI Bill has undergone several revisions since its original enactment. The Veterans Adjustment Act of 1952 extended benefits to veterans of the Korean War, and the Veterans Readjustment Benefits Act of 1966 allowed those who had served during times of both war and peace to access them.[[5]](#footnote-5) The Montgomery GI Bill, enacted in 1984, entitles enrolled active duty service members who pay $100 per month for a 12 month period to receive a monthly education benefit pending completion of a minimum service obligation.[[6]](#footnote-6)

In 2008, President George W. Bush signed the Post-9/11 Veterans Educational Assistance Act of 2008, best known as the Post-9/11 GI Bill. This legislation enhances the educational benefits for individuals who served on active duty in the Armed Forces on or after September 11, 2001. Qualifying service members can receive as much as 100 percent of tuition equivalent to the cost of the most expensive public school in the state, as well as 15 years of eligibility for benefits and a housing stipend.[[7]](#footnote-7) As veterans have returned from the conflicts in Iraq and Afghanistan, many have chosen higher education as their next professional step. Since the implementation of the Post-9/11 GI Bill in 2009, the VA has provided education benefits to more than 770,000 veterans and their families, amounting to more than $20 billion in benefits.[[8]](#footnote-8)

The most recent change to the GI Bill occurred in August 2018, when the VA implemented 15 more provisions of the Harry W. Colmery Educational Assistance Act of 2017, known as the Forever GI Bill. This bill expanded educational benefits to veterans through various means, such as allowing recipients of a Purple Heart awarded after September 11, 2001 to be eligible for full Post-9/11 GI Bill benefits for up to 36 months, allowing military and veteran families who have lost a family member to reallocate transferred Post-9/11 GI Bill benefits, allowing additional Guard and Reserve service to count toward Post-9/11 GI Bill eligibility, and allowing Post-9/11 GI Bill students to receive monthly housing allowance for any days they are not on active duty.[[9]](#footnote-9)

*Forever GI Bill*

On August 16, 2017, President Donald Trump signed H.R. 3218, also known as the Forever GI Bill – Harry W. Colmery Veterans Educational Assistance Act of 2017, to amend the U.S. Code “to make certain improvements in the laws administered by the Secretary of Veterans Affairs…”[[10]](#footnote-10) It made a number of changes to veterans’ education benefits, including the lifting of a 15-year time limit after service for utilization.[[11]](#footnote-11) Other provisions included an alteration of how housing payments to student veterans were calculated, and a cap on the total amount paid, aligning it with what is allotted to active-duty military.[[12]](#footnote-12)

However, that summer, the U.S. Department of Veterans Affairs’ (VA) benefit-processing system experienced a glitch that has resulted in a number of issues, including delayed and miscalculated benefit payments to student veterans in need of that money for housing.[[13]](#footnote-13) As a result “potentially tens of thousands on the GI Bill” waited weeks or months to be paid, forcing some to go into debt and struggling to overcome financial straits due to an antiquated computer system.[[14]](#footnote-14)

In October 2018, over one year later, the VA emailed affected student veterans and, in a post on their website, admitted that many of their Post-9/11 GI Bill students were still experiencing “longer than typical wait times to receive monthly housing payments” and that, at the time, the VA was averaging over 35 days to process first-time applications and 23 days for re-enrollments.[[15]](#footnote-15) As of October, the VA was showing over 228,000 pending education claims, compared to October 2017, when they showed a backlog of 135,000 claims.[[16]](#footnote-16)

On November 15, 2018, VA officials testified before the House Committee on Veterans Affairs that they cannot determine when their information technology system will be faced and to address the issues preventing veterans from receiving their GI Bill benefit payments on time, if at all.[[17]](#footnote-17) Since then, VA Secretary Robert Wilkie released a statement saying that each beneficiary will receive the money they’re owed under the new scheme once it is implemented.[[18]](#footnote-18) In effect, Congress is passing laws requiring the VA to come into compliance, yet the VA is incapable of doing so.

Importantly, New York State Education Law requires that CUNY tuition, fees and charges, less other amounts payable by scholarships or other financial assistance, be deferred for a student at his or her request until the receipt of veterans’ educational benefits provided that the student is both eligible and has filed a claim for such benefits.[[19]](#footnote-19) While this may provide some relief to CUNY student veterans impacted by delayed payments, the extent to which students are aware this policy and its impact on housing is unclear.

*Veterans at Private/Selective Institutions of Higher Education*

While many state universities and community colleges, including CUNY schools, boast large veteran student populations, veterans comprise less than one percent of undergraduates at most more selective colleges.[[20]](#footnote-20) According to the VA, that is out of approximately one million veterans and their family members enrolled in higher education under the GI Bill.[[21]](#footnote-21) This discrepancy is a result of the VA not promoting more selective schools as an option, not believing that veterans could get in. Likewise, many selective colleges did not know how to handle veterans’ applications or consider whether they were a desirable student population.[[22]](#footnote-22)

However, veterans’ advocates argued for veterans to have the opportunity to attend elite institutions and add to the diversity on campus.[[23]](#footnote-23) Now, more selective schools have begun to look into increasing its veteran student population, and how to serve them upon enrollment.[[24]](#footnote-24) In 2018, there was an estimated 844 veterans enrolled at 36 of the country’s most selective colleges, 443 of whom were enrolled at Columbia University, in NYC.[[25]](#footnote-25)

*Functions of DVS*

 DVS has four main Program Areas: Central Administration, Community Outreach, Homelessness Prevention, and Mental Health.[[26]](#footnote-26) Within these four areas, the Department’s primary activities include expanding education and career opportunities through a network of public, private, and non-profit partners, ensuring that veterans can access benefits resources and services they need throughout the City, cultivating an integrative health model to ensure the physical, mental, and spiritual wellbeing of veterans and their families, and connecting homeless veterans with permanent housing and support services.

DVS has also identified three main lines of action: Whole Health and Community Resilience (WHCR), Housing and Support Service (HSS), and City Employment, Education, Entrepreneurship Events, and Engagement (CE5).[[27]](#footnote-27) Community Outreach Specialists also connect veterans and their families to City, State, and Federal resources.

Between March 2016 and May 2017, DVS held more than 300 community outreach events and provided one-on-one assistance to more than 2,300 veterans and family members between March 2016 and May 2017, as they applied for benefits such as the GI Bill and veteran property tax exemptions.[[28]](#footnote-28) The Department’s mandate and responsibilities continue to include outreach and education efforts among the veteran population, including, importantly, connecting veterans to resources, programs, and information that helps them access services they need to continue their civilian lives.

**INT. NO. 1047-A**

 Int. No. 1047-A would require DVS to consult with the Department of Consumer Affairs (DCA) to create and engage in outreach and education efforts to inform veterans about issues relating to higher education, such as financial issues, the risks of for-profit or fraudulent colleges, and lower-cost alternatives to for-profit higher education. The bill would require any materials developed for this campaign to be made available on DVS’s website. This law would take effect immediately.

 Since introduction, the language of Int. No. 1047-A was amended to allow DVS to “engage” on as opposed to “educate” on issues related to higher education. The bill also now would require DVS to provide any materials developed for such outreach and engagement to be made available at each veterans’ resource center.

**RES. NO. 844**

On June 6, 1944, more than 156,000 American, British, and Canadian soldiers landed on five beaches in Normandy, France in an effort that began the liberation of Western Europe from Nazi control during World War II. [[29]](#footnote-29) According to the United States National D-Day Memorial Foundation, at least 4,400 Allied personnel were killed on that day alone. Despite these casualties, the invasion was a major success because it enabled the Allies to establish five beachheads in Normandy and marked the beginning of the final phase of World War II. [[30]](#footnote-30)

In that spirit, Res. No. 844 was heard on Tuesday, May 21, 2019, and voted on and passed on May 28, 2019, in order to recognize the 75th anniversary of D-Day and honor those who served and the fallen.

**UPDATE**

 On May 28, 2019, the Committee passed Int. No. 1047-A and Res. No. 844 by a vote of five in the affirmative, zero in the negative, with zero abstentions.

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Int. No. 1047-A

By Council Members Deutsch, Ulrich, Vallone, Eugene, Gjonaj, Barron, Holden, Kallos, Ampry-Samuel and Lander

A Local Law

..Title

To amend the administrative code of the city of New York, in relation to providing veterans with outreach and engagement on issues related to higher education

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 31 of the administrative code of the city of New York is amended by adding a new section 31-110 to read as follows:

§ 31-110 Outreach and engagement on issues related to higher education. a. The commissioner, in consultation with the department of consumer affairs and any other agencies identified by the mayor, shall establish and coordinate outreach and engagement efforts to inform veterans about financial issues and resources related to higher education, including, but not limited to: government programs and other resources available to veterans, resources on how to minimize student debt, student loan repayment options and programs for veterans, the risks of for-profit or fraudulent colleges and trade schools, how to identify predatory for-profit institutions and lower-cost alternatives to for-profit higher education.

b. The materials developed pursuant to subdivision a of this section shall be made available on the department’s website, at each veterans resource centers established pursuant to section 31-106 and in printed form upon request.

§ 2.  This local law takes effect immediately.

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Res. No. 844

..Title

Resolution recognizing the 75th anniversary of D-Day

..Body

By Council Member Cabrera, Vallone, Holden and Eugene

 Whereas, On June 6, 1944, more than 156,000 American, British, and Canadian soldiers landed on five beaches in Normandy, code-named Utah, Omaha, Gold, Juno, and Sword; and

 Whereas, A report from the United States Army noted that more than 5,000 ships and 13,000 aircraft supported the invasion; and

 Whereas, According to a White House factsheet published on the 70th anniversary of D-Day, air cover was a significant component of the offensive, as more than 2,200 allied bombers attacked enemy targets both along the coast and inland; and

 Whereas, The Allies had been planning this invasion, code-named Operation Overlord, since the summer of 1943; and

 Whereas, To assist the Normandy landing, the U.S. and Great Britain cooperated on Operation Bodyguard, in which they fed false information to double agents, fabricated radio chatter, and used dummy tanks to mislead Germany about the likely location of the attack; and

 Whereas, The US National D-Day Memorial Foundation has found that at least 4,400 Allied personnel were killed that day; and

 Whereas, Despite these casualties, the invasion was a major success because it enabled the Allies to establish five beachheads in Normandy; and

 Whereas, D-Day marked the beginning of the final phase of World War II, in which the Allies drove the Nazis out of Western Europe before accepting their surrender on May 8th, 1945; and

 Whereas, D-Day memorials exist in both the U.S. and the U.K., and more than 9,300 American soldiers are buried at a military cemetery in Normandy; and

 Whereas, New York has a proud military tradition; and

 Whereas, It is not only the home of the United States Military Academy at West Point, but also the location of the battle of Saratoga, which was a major turning point in the Revolutionary War; and

 Whereas, New York has produced a long line of distinguished military officers, from Alexander Hamilton to Rufus King and Colin Powell, and more than 900,000 New Yorkers served in the Second World War; and

 Whereas, On June 6, 1944, Americans of all races and creeds, hailing from all fifty states, made heroic sacrifices in order to preserve America’s highest ideals and rid the world of tyranny; and

 Whereas, The planning and execution of the Normandy landing deserves the highest civic reverence and recognition, so that each successive generation of Americans remembers that freedom is never more than one generation away from extinction; now, therefore, be it

 Resolved, That the Council of the City of New York recognizes the 75th anniversary of D-Day.

LS#10013

3/19/19

MK

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2. *State Support For New York's Veterans*, Office of the New York State Comptroller, Nov. 2015, *from* <http://www.osc.state.ny.us/reports/other/veterans_11_2015.pdf>. [↑](#footnote-ref-2)
3. Id. [↑](#footnote-ref-3)
4. Military.com, “History of the GI Bill,” <http://www.military.com/education/gi-bill/va-marks-4-years-of-post-911-gi-bill.html> [↑](#footnote-ref-4)
5. *Id.* [↑](#footnote-ref-5)
6. *Id.* [↑](#footnote-ref-6)
7. Military.com, “Post-9/11 GI Bill Overview,” <http://www.military.com/education/gi-bill/new-post-911-gi-bill-overview.html> [↑](#footnote-ref-7)
8. *VA and the Post 9/11 GI Bill*, available at

<http://www2.cuny.edu/about/university-resources/veterans-affairs/> [↑](#footnote-ref-8)
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10. Harry W. Colmery Veterans Educational Assistance Act of 2017, Pub. L. No. 115-48, *available at* <https://www.congress.gov/115/bills/hr3218/BILLS-115hr3218rh.pdf>. [↑](#footnote-ref-10)
11. *Id.* [↑](#footnote-ref-11)
12. *Id.* [↑](#footnote-ref-12)
13. Spencer Platt, “VA owes veterans housing allowances under the GI Bill, forcing some into debt” NBC News (Oct. 7, 2018), *available at* <https://www.nbcnews.com/news/us-news/va-owes-veterans-housing-allowances-under-gi-bill-forcing-some-n917286>. [↑](#footnote-ref-13)
14. Alex Horton, “Veterans aren’t getting their GI Bill payments — because VA’s 50-year-old computer system broke” The Washington Post (Nov. 15, 2018), *available at* <https://www.washingtonpost.com/national-security/2018/11/15/veterans-arent-getting-their-gi-bill-payments-because-vas-year-old-computer-system-broke/?utm_term=.acb16333cdaa>. [↑](#footnote-ref-14)
15. Jim Absher, “VA Acknowledges Delays in GI Bill Payments,” Military.com, Oct. 10, 2018, *available at* <https://www.military.com/paycheck-chronicles/2018/10/10/va-acknowledges-delays-gi-bill-payments.html>. [↑](#footnote-ref-15)
16. Id. [↑](#footnote-ref-16)
17. Phil McCausland, “VA unwilling to estimate when GI Bill benefit payment issues will be fixed” NBC News (Nov. 15, 2018), *available at* <https://www.nbcnews.com/news/us-news/va-unwilling-estimate-when-gi-bill-benefit-payment-issues-will-n936986>. [↑](#footnote-ref-17)
18. U.S. Department of Veterans Affairs, “Statement by Secretary Robert Wilkie on Forever GI Bill Housing Benefit Payments” Office of Public and Intergovernmental Affairs, News Release (Nov. 29, 2018), *available at* <https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5154>. [↑](#footnote-ref-18)
19. New York Education Law § 6223 [↑](#footnote-ref-19)
20. Brian Mockenhaupt, “They served their country. Why aren’t elite colleges serving them better?” The Washington Post (Nov. 25, 2018), *available at* <https://www.washingtonpost.com/local/education/they-served-their-country-why-arent-elite-colleges-serving-them-better/2018/11/25/d3ac3558-ef40-11e8-8679-934a2b33be52_story.html?utm_term=.98e32641f9df>. [↑](#footnote-ref-20)
21. U.S. Department of Veterans Affairs, “VA and the Post 9/11 GI Bill” Office of Public and Intergovernmental Affairs (N.D.), *available at* <https://www.va.gov/opa/issues/post_911_gibill.asp>. [↑](#footnote-ref-21)
22. Brian Mockenhaupt, “They served their country. Why aren’t elite colleges serving them better?” The Washington Post (Nov. 25, 2018), *available at* <https://www.washingtonpost.com/local/education/they-served-their-country-why-arent-elite-colleges-serving-them-better/2018/11/25/d3ac3558-ef40-11e8-8679-934a2b33be52_story.html?utm_term=.98e32641f9df>. [↑](#footnote-ref-22)
23. *Id.* [↑](#footnote-ref-23)
24. *Id.* [↑](#footnote-ref-24)
25. *Id.* [↑](#footnote-ref-25)
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27. Id. [↑](#footnote-ref-27)
28. Id. [↑](#footnote-ref-28)
29. *D-Day*, History.com, <https://www.history.com/topics/world-war-ii/d-day>. [↑](#footnote-ref-29)
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