



## ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES

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### Why Some States Are Changing the Requirements for the Post-9/11 G.I. Bill

**Washington, D.C.** - Today, the Enlisted Association of the National Guard of the United States (EANGUS) released a legal analysis of legislation being considered by the State of New York. The so-called "For-Profit Accountability Act" would restrict the ability of Student Veterans to use their Post 9/11 G.I. Bill at federally authorized, accredited institutions in New York. In addition, legal analysis has found that this proposed legislation may not be applied equitably and likely conflicts with federal law.

EANGUS believes that New York's enactment of this legislation would penalize Student Veterans and set a bad precedent to alter federal eligibility requirements for Veteran benefits by other states. The Legislative Director for EANGUS, Daniel Elkins, stated, "This legislation is detrimental to the members of EANGUS and the Soldiers and Airmen it represents. It restricts educational choice based on past performance of non-Veterans and is a step in the wrong direction." If enacted, the legislation would limit Student Veterans' ability to use their benefits at a school of their choice, since schools that are approved by regional and nationally recognized accrediting bodies that meet all the necessary federal requirements would be forced to turn away Student Veterans. Legal analysis indicates that a reviewing court likely would view legislation in New York's *For-Profit Accountability Act* as undermining the purposes and objectives of Congress in offering educational benefits to veterans—which purposes include extending the benefits of higher education to men and women who otherwise might not be able to afford it, restoring lost educational opportunities to veterans, and aiding in the recruitment and retention of personnel for the All-Volunteer Force—a court would probably hold that New York's proposed legislation conflicts with federal law.

EANGUS calls on state and federal lawmakers, and the military and Veteran community, to come together and closely examine the significant problems associated with New York's proposal. EANGUS is concerned that if New York enacts such a restriction on the G.I. Bill, other states, like Maryland, Washington, and California who are already considering enacting similar legislation which will lead to a patchwork of state regulations in which the G.I. Bill would differ from state to state. This legislation will set a precedent and penalize Veterans and is a disservice to the Soldiers that sacrificed to earn their Post 9/11 G.I. Bill.

EANGUS works to advance the interests of over a million Soldiers, Airmen, their families. Retirees, and survivors. Reflecting the spirit of America in over 3,000 communities across the nation, the men and women of the National Guard serve to defend their nation from threats abroad as well as to respond to natural and manmade disasters in their home state.

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