HB 426 HD1 – RELATING TO TUITION WAIVERS

Chair Luke, Vice Chair Yamashita, and members of the committee:

Thank you for the opportunity to testify on HB 426 HD1 which requires tuition waivers to be given to the dependent children of disabled veterans or active or reserve members of the armed forces who were killed in action.

The University of Hawai‘i (UH) appreciates the intent of this measure as it honors the service of those who serve(d) in our armed forces. The UH does not believe this measure is necessary as UH is in compliance with several federal legislative actions which already provide education benefits for survivors and dependents of a veteran.

The following are federal programs that provide support for dependent children of disabled veterans or active or reserve members of the armed forces killed in action:

   Chapter 35 - Dependents’ Educational Assistance (DEA) Program. The DEA program provides up to 45 months of education and training benefits to eligible dependents of service members who have died or are permanently disabled due to active service in the armed forces. These benefits may be used for degree and certificate programs, apprenticeship, and on-the-job training. Effective October 1, 2013, some recipients may be eligible to receive up to 81 months of GI Bill® benefits if they use DEA program benefits in conjunction with other VA education benefits.

   Eligible children may use this benefit while they are between the ages of 18 and 26; however, under some circumstances the period of eligibility can be extended until the age of 31.

   Spouses generally have ten (10) years from the date the VA establishes eligibility to use the benefit. However, effective October 10, 2008, a spouse may remain eligible for this benefit for twenty (20) years from the effective date of rating if the veteran was rated permanently and totally disabled within an effective date of three (3) years from discharge.
Surviving spouses of service members who died while on active duty have twenty (20) years from the date of death to use this benefit.

Public Law No: 116-315 which went into effect on 01/05/2021. Section 1002 of this Public Law expands eligibility for the Fry Scholarship to a child or spouse of a person who dies on or after September 11, 2001, in the line of duty while serving on duty other than active duty as a member of the Armed Forces, and a child or spouse of a member of the Selected Reserve who dies on or after September 11, 2001, from a service-connected disability while a member of the Selected Reserve. The UH has implemented this as of August 1, 2021.

Section 1011. Expansion of Transfer of Entitlement for Dependents under the Post-9/11 GI Bill expands the eligibility for dependents to whom Post-9/11 GI Bill benefits can be transferred. Eligibility now includes certain unmarried children placed in the legal custody of the service member for at least twelve (12) months as a result of a court order.

For these reasons, the UH does not feel there is a need for this bill and respectfully requests that HB 426 HD1 be deferred.