

May 27, 2016

Honorable Joe Manchin
United States Senate
306 Hart Senate Office Building
Washington, D.C. 20002

Dear Senator Manchin:

The undersigned military and veterans service organizations, joined by other organizations that share our concerns, are writing to express our opposition to your amendment on “academic advising on DOD installations” that was recently adopted during the Senate Armed Services Committee’s consideration of the FY 2017 National Defense Authorization Bill.

First, your amendment is not necessary, as the Defense Department (DOD) already maintains ample parameters for educational institutions to have significant and adequate access to military installations, especially for educational counseling. Access to military installations is controlled by DOD and the services, and the requirements are spelled out in the DOD Voluntary Education Partnership Memorandum of Understanding (MOU), which all schools wishing to participate in Tuition Assistance must sign. We are including the installation access requirement as an attachment to this letter. The MOU clearly provides for access and recognizes educational counseling as a legitimate reason for such access. According to DOD, military students report that they currently have sufficient opportunity on base to consult with schools about their educational plans and needs.

Second, your amendment would undermine the purpose of the Defense Department’s parameters under the MOU and their legitimate goal of ensuring servicemembers are able to perform their military duties without being subjected to harassment by aggressive and unscrupulous college recruiters. Only MOU signatories that agree to abide by federal rules regarding misleading recruiting are allowed on military installations. Access is granted through the installation education officer with approval by the base commander. DOD has also instructed installation commanders on acceptable commercial solicitation rules. Despite these existing DOD regulations, we remain concerned that some educational institutions are still engaged in misleading and aggressive recruiting on military installations. Weakening the existing DOD regulations is the opposite of what servicemembers need right now.

We strongly urge you to reconsider the need for your amendment. Many Senators on your Committee and in the Senate as a whole wish to strip the amendment from NDAA, and we request that you assist them in doing so. At a minimum, we request that you work with us to improve your amendment, to ensure it does not undercut sensible DOD protections against fraudulent and unduly aggressive recruiting under the guise of protecting school access.

Thank you for your consideration.

Sincerely,

(List in formation; updated list will be sent again)

Air Force Sergeants Association
Air Force Women Officers Associated
American Federation of Teachers
Americans for Financial Reform
Association of the United States Navy
Blue Star Families
Higher Ed Not Debt
Generation Progress
Iraq & Afghanistan Veterans of America
Military Officers Association of America
Military Order of the Purple Heart
National Association for Black Veterans
National Association of College Admissions Counseling
Student Veterans of American
The Institute for College Access & Success
Tragedy Assistance Program for Survivors
U.S. Coast Guard Chief Petty Officers Association & Enlisted Association
Veterans for Common Sense
Veterans Student Loan Relief Fund
Veterans Education Success
Veterans Legal Clinic, University of San Diego Law School
VetJobs
VetsFirst, a program of United Spinal Association
Vietnam Veterans of America
Young Invincibles

Access to military installations by schools—DOD MOU excerpt

5. REQUIREMENTS AND RESPONSIBILITIES FOR THE DELIVERY OF ON-INSTALLATION VOLUNTARY EDUCATION PROGRAMS AND SERVICES

a. The requirements in this section pertain to educational institutions operating on a DoD installation. An installation MOU:

(1) Is required if an educational institution is operating on a DoD installation. (2) Contains only the installation-unique requirements coordinated by the responsible education advisor, with concurrence from the appropriate Service voluntary education representative, and approved by the installation commander. (3) Cannot conflict with the DoD Voluntary Education Partnership MOU and governing regulations.

b. Educational institutions will:

(1) Agree to have a separate installation MOU if they have a Service agreement to provide on-installation courses or degree programs.

(2) Comply with the installation-unique requirements in the installation MOU.

(3) Agree to coordinate degree programs offered on the DoD installation with the responsible education advisor, who will receive approval from the installation commander, prior to the opening of classes for registration.

(4) Admit candidates to the educational institution's on-installation programs at their discretion; however, priority for registration in DoD installation classes will be given in the following order:

(a) Service members.

(b) Federally funded DoD civilian employees.

(c) Eligible adult family members of Service members and DoD civilian employees.

(d) Military retirees.

(e) Non-DoD personnel.

(5) Provide the responsible education advisor, as appropriate, a tentative annual schedule of course offerings to ensure that the educational needs of the military population on the DoD installation are met and to ensure no course or scheduling conflicts with other on-installation programs.

(6) Provide instructors for their DoD installation courses who meet the criteria established by the educational institution to qualify for employment as a faculty member on the main administrative and academic center.

(7) Inform the responsible education advisor about cancellations for classroom-based classes on DoD installations per the guidelines set forth in the separate installation MOU.

c. The Services' designated installation representative (usually the responsible education advisor) will be responsible for determining the local voluntary education program needs for the serviced military population and for selecting the off-duty

educational programs to be provided on the DoD installation, in accordance with the Services' policies. The Service, in conjunction with the educational institution, will provide support services essential to operating effective educational programs. All services provided will be commensurate with the availability of resources (personnel, funds, and equipment). This support includes:

(1) Classroom and office space, as available. The Service will determine the adequacy of provided space. (2) Repairs as required to maintain office and classroom space in "good condition" as determined by the Service, and utility services for the offices and classrooms of the educational institution located on the DoD installation (e.g., electricity, water, and heat).

(3) Standard office and classroom furnishings within available resources. No specialized equipment will be provided.

(4) Janitorial services in accordance with DoD installation facility management policies and contracts.

d. The Service reserves the right to disapprove DoD installation access to any employee or agent of the educational institution employed to carry out any part of this MOU.

e. Operation of a privately owned vehicle by educational institution employees or agents on the installation will be governed by the DoD installation's policies.

f. The responsible education advisor will check with his or her Service's responsible office for voluntary education before allowing an educational institution to enter into an MOU with the DoD installation.