

February 15, 2018

Chairman Lamar Alexander
U.S. Senate Committee on Health, Education, Labor and Pensions
Washington, DC 20510

Dear Chairman Alexander:

Thank you for the invitation to share our thoughts on Higher Education Act Reauthorization.

As we wrote in the attached letters to the Education Department in June and September of last year, veterans and military service organizations strongly oppose efforts to roll back student protections and laws that guard against fraud.

Those who have served their country deserve to be treated with honor and respect when they become college students, and to know that they can trust the federal government's stamp of approval that a program is worth their hard-earned GI Bill benefits. This can be accomplished through higher quality standards and accountability measures.

We understand there is discussion of eliminating safeguards in favor of a single measure of student debt repayment. We are concerned because such a single measure would not protect military-connected students who don't have debt because of the GI Bill.

We would appreciate the opportunity to meet with your staff to share suggestions to protect military connected students from loans they don't want, and to ensure deployed servicemembers and disabled veterans receive their legal rights on student loans. We also would like to share with you the importance of public service loan forgiveness to active duty servicemembers, veterans, and the Department of Veterans Affairs.

Sincerely,

Keith A. Reed
Headquarters Executive Director
Air Force Sergeants Association

Nichole King-Campbell
Air Force Women Officers Associated

Joseph Chenelly
Executive Director
AMVETS National Headquarters

Kevin Cochie
The Military Coalition Representative
Army Aviation Association of America

Rear Admiral Frederic Sanford (Ret.)
Acting Representative to The Military Coalition
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Gary E. Hall
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Kristina Kaufmann
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ATTACHMENT 1

Ms. Wendy Macias
U.S. Department of Education
400 Maryland Ave., SW
Room 6C111
Washington, DC 20202.

September 20, 2017

By e-mail: Wendy.Macias@ed.gov

RE: Docket: ED-2017-OS-0074-0001

Dear Ms. Macias:

Please include the following public comment in Docket # ED-2017-OS-0074-0001:

**PUBLIC COMMENT FROM VETERANS SERVICE ORGANIZATIONS &
MILITARY SERVICE ORGANIZATIONS**

As we wrote to you in the attached July 12, 2017, public comment, veterans and military service organizations strongly oppose efforts to roll back student protections at the Education Department.

Instead of undermining the rules that protect students and taxpayers, we urge the Department to strengthen all Department rules and mechanisms that guard against fraud, including borrower defense, gainful employment, program participation agreements, program integrity rules, enforcement of the 90/10 and incentive compensation bans, and cracking down on colleges that manipulate their reporting numbers to evade compliance.

As you know, service members, veterans, and their families and survivors are specifically targeted for fraud and seen “as nothing more than dollar signs in uniform”¹ by unscrupulous colleges. Often, the lowest quality education programs are those that engage in the most consumer fraud of veterans.

The Education Department must do all it can to ensure that American heroes who have served their country are treated with honor and respect when they become college students, and that they can trust the federal government’s stamp of approval that a program is worth their hard-earned GI Bill benefits. The Department should push for higher quality and better gatekeeping.

Sincerely,

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Nichole King-Campbell
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Michael V. Reilly
Executive Director
American Association of Collegiate Registrars
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Joseph Chenelly
Executive Director
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¹ Consumer Financial Protection Bureau, (2011). “Seeing servicemembers as ‘dollar signs in uniform’”. <https://www.consumerfinance.gov/about-us/blog/seeing-servicemembers-as-dollar-signs-in-uniform/>

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ATTACHMENT 2

July 12, 2017

Ms. Wendy Macias
U.S. Department of Education
400 Maryland Ave., SW.
Room 6C111
Washington, DC 20202.

By e-mail: Wendy.Macias@ed.gov

RE: Public Comment: Docket # ED-2017-OPE-0076

Dear Ms. Macias:

Please include the following public comment in Docket # ED-2017-OPE-0076:

PUBLIC COMMENT FROM VETERANS SERVICE ORGANIZATIONS & MILITARY SERVICE ORGANIZATIONS

On June 9, 2017, 31 veterans and military organizations wrote the attached [letter](#) to Congress and Secretary DeVos requesting no delay in implementation of the Borrower Defense rule, which offers student loan forgiveness for students who have been defrauded, protects students from forced arbitration, thereby enabling them to seek relief in the courts if they've been defrauded, and requires financial responsibility triggers and warnings by colleges.

These protections are important to our organizations because service members, veterans, and their families are specifically targeted for fraud by unscrupulous colleges because of the 90/10 loophole in the Higher Education Act, as has been widely documented. The former head of the Office of Servicemember Affairs at the Consumer Financial Protection Bureau (CFPB), Holly Petraeus, explained that the 90/10 loophole incentivizes predatory colleges "to see service members as nothing more than dollar signs in uniform, and to use aggressive marketing to draw them in."²

As you know, when predatory college recruiters defraud servicemembers, veterans, and their families, they frequently also load the students up with student loans, sometimes without the students' knowledge. Large numbers of veterans and servicemembers are affected: According to survey data from the Department of Education's (ED) "Beginning Postsecondary Students" survey, about 37% of veterans who began college in 2012 had student loans as of 2014. Similarly, a 2012 survey by the Financial Industry Regulatory Authority reported that 38% of military service members indicated that their households currently had student loans.

We were disappointed ED's [announcement](#) on June 14, that it plans to revise the Borrower Defense rule. As you undertake a revision, please ensure that defrauded service members, veterans, and their dependents, families, and survivors receive loan forgiveness, and please ensure that the many pending applications at the Education Department are quickly granted relief under the current regulations. Please also maintain defrauded students' access to the courts and their right to financially sound colleges through the financial responsibility triggers and warnings. To do otherwise would be an affront to those who have served their country.

² Consumer Financial Protection Bureau, (2011). "Seeing servicemembers as 'dollar signs in uniform'". <https://www.consumerfinance.gov/about-us/blog/seeing-servicemembers-as-dollar-signs-in-uniform/>

Often, the lowest quality education programs are those that engage in the most consumer fraud of veterans. We were therefore disappointed by ED's concomitant [announcement](#) that it would revise the Gainful Employment regulation, which enforces the Higher Education Act's requirement that career education programs receiving federal student aid must "prepare students for gainful employment in a recognized occupation." The rule requires career education programs at all types of colleges (public, nonprofit, and proprietary) to disclose basic information about program costs and outcomes and prevents funding for programs that consistently leave students with debts they cannot repay. As you know, several federal courts have already upheld the Gainful Employment metric of debt-to-earnings ratio to excise the worst performing programs. Because the rule eliminates funding for consistently failing programs, the Congressional Budget Office estimates that repealing the rule would increase spending by \$1.3 billion over 10 years.

Veterans express anger when they discover the federal government knew a program produced lousy student outcomes or was under law enforcement action for defrauding students, but allowed them to waste their time and GI Bill benefits enrolled in it. The Departments of Defense and Veterans Affairs rely on leadership by Education Department in determining which education programs are worthy of federal student aid. Therefore, it is critical that the Education Department ensure programs meet the federal statutory requirement of gainful employment in a recognized occupation.

The Education Department must do all it can to ensure that American heroes who have served their country are treated with honor and respect when they become college students, and that they can trust the federal government's stamp of approval that a program is worth their hard-earned GI Bill benefits. The Department must take a firm stand against the predatory targeting of those who have served their country.

Thank you for your time and attention.

Sincerely,

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